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CONTRIBUTING EDITORS
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NORMAN THOMAS CARL VAN DOREN

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SHALL THE UNITED STATES enter the World Court? As our readers are aware we have leaned in that direction, perhaps because we did not feel that it made much difference one way or another. But we are clear that we should not enter the court without at least the four reservations proposed two years ago by Mr. Hughes—to prevent amendment of the World Court charter without our consent, to give us a voice in the selection of judges, to provide for the payment by the United States of a fair share of the court's expenses, and, most important, to give assurance that accepting the court would not be entrance into the League of Nations. These are admirable reservations, but they do not go far enough. Entering the World Court is a momentous step. The history of our country shows that authority was not given the United States Supreme Court to exert force in executing its decrees against our States nor has it ever tried to do so; that the intangible yet potent power of public opinion has been the only authority behind the court. If we enter the World Court we should see to it that the conditions of entry are such that the court shall be backed by no power except that of world opinion. More than that, the United States should condition its entry on effective agreements that neither the court nor the League, nor any of its members, shall have power to enforce the decrees of the tribunal by war or by economic pressure of any kind. Only under such circumstances will the World Court truly be a court of justice and not a court of arms.

SECRETARY MELLON is a fortunate man in more ways than one. There can be no question that if our Republican rulers and the press and the public had the sensitiveness in regard to the business relations of officials which prevailed in this country during the Roosevelt campaigns for the divorce of politics from business Secretary Mellon would have to get out of the Cabinet. The two Democratic members of the Federal Trade Commission last week published their dissent from the majority rule of their commission which withholds from the Department of Justice all information pertaining to Mr. Mellon's Aluminum Company of America that the commission obtained from that company. Messrs. Nugent and Thompson deliberately accuse their fellow-commissioners of making the commission "an accessory after the fact in aiding a possible criminal to evade trial and escape punishment." It is impossible to brush aside this statement on the ground of partisan bias, for the reason that former Attorney General Stone wrote to the commission that the aluminum trust had deliberately violated the decree of the federal court and added: "The fair inference is the company either was indifferent to the provisions of the decree or knowingly intended that its provisions should be disregarded with a view to suppressing competition in the aluminum industry." Finally, the two protestants point out that the evidence in the case of a rival of Mr. Mellon's company, the Aluminum Goods Manufacturing Company, was turned over to the Department of Justice, while Mr. Mellon's company was protected. This would be a first-class political scandal if Washington and the public were not surfeited with them and indifferent to them. Had Mr. Mellon not the hide of a rhinoceros he would resign promptly, and Mr. Coolidge would ask him to were he sensitive of the honor of his Cabinet.

"COOLIDGE AROUSED by Lewis Letter; Plans Firm Reply"—thus a newspaper headline. Stuff! Can a mouse bite or a rabbit turn carnivorous? Yet the newspapers which have created the fictitious Coolidge continue to "play him up" as a man of force and resolution capable of facing an issue, grappling largely and boldly with it, and then dominating it. When and where? For

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this is the same President and the same Coolidge who, on July 19, last, assured the newspaper correspondents at Swampscott—of course through that *alter ego* "the spokesman for the President"—that he was "determined to prevent a coal strike," and a few days later let it be known that he had a plan of a "revolutionary nature" to propose if, after all, a strike came to pass. Well, the strike came and the little, calm, cool man had nothing to suggest; no plan of any kind, revolutionary or otherwise, was forthcoming. So now we have more thundering because John L. Lewis, head of the United Mine Workers, has sent a letter which the President, or whoever told him to, "interprets as a threat and an unfair statement in the case—a veiled attempt to place responsibility upon the Government for labor conditions." Well, all we can say is we don't propose to enter our private cyclone cellar just yet, nor would we advise Mr. Lewis, the impudent, to take to his—not even if the President has included in his message a proposal to forbid strikes in essential industries. For just when Mr. Coolidge's sense of outrage begins to master him he will, we are sure, recall the constitutional inhibitions upon his office, and recongeal.

WALL STREET OWNS BELGIUM and now supersedes the Belgian Parliament. This is the statement of Mr. Jaspar, a former Minister, who publicly asked Vandervelde, the Foreign Minister, whether the government was acting under pressure of American and British bankers in cutting its budget by 150,000,000 francs, and whether "the Belgian Parliament is no longer in control of the situation." Vandervelde replied: "The statements in the press to that effect are exactly true. The government had its choice between two alternatives, either to obtain a loan or give up stabilization of the Belgian franc. The ministers were unanimous in the opinion that . . . the best thing to do was to submit to the requirements of the foreign capitalists and obtain stabilization of the Belgian currency." The leading Belgian papers, such as the *Nation Belge, Indépendance Belge,* and *Etoile Belge,* three conservative organs, confess to the state of "vassalage and servitude" in which the country has been placed, while the more liberal and radical newspapers denounce the government for its surrender. So Belgium has found out the truth, but Belgium is not the only slave and vassal to the American money power. Germany is another, and if French finances continue in their present sorry plight, or get worse, we venture to predict a Dawes Plan for France and Wall Street vassalage for her. Perhaps there is no other way out, as Vandervelde has said, but the fact that the whole world is coming to be the financial vassal of America does not mitigate the gravity of the situation or prevent it from working infinite harm to the vassals and, what is more important for us, to their masters.

CABINETS COME AND GO in France with whirligig speed, and meanwhile the country's financial troubles remain without even an approach toward a settlement. Our daily press hails the advent of Aristide Briand—with Louis Loucheur as Minister of Finance—with optimism, and the announcement of the new cabinet caused a slight advance in the exchange value of the franc. We cannot see any reason for rejoicing. Both Briand and Loucheur, it is argued, are strong for a debt settlement with the United States and have the ability to obtain one. What of it? How will an undertaking on the part of France to pay the United States an annual tribute, however small, make it easier for her to settle her internal obligations? Because, we hear somebody say, when France has signed a debt compact she will get a loan in the United States just as Italy did. Again what of it? This will be pulling herself up by the boot-straps. It will be one more pile on the already mountainous debt. There are only two ways of meeting that debt—taxation or repudiation. The internal debt has already been practically repudiated to the tune of 80 per cent by the inflation of the currency and the consequent depreciation in the value of the franc. If any of the franc's value is to be saved, it can be done only through drastic taxation of wealth and privilege. Louis Loucheur, with his close identification with French big business, is exceedingly unlikely to propose any such course.

THAT THE GERMAN REICHSTAG has approved the Locarno treaties and that they have been signed by the Government ought to surprise nobody. We were unable from the first to share the concern of those commentators who thought that the Luther Government might be overthrown and the treaties fail because of the opposition c the nationalistic and imperialistic elements. As long as President Hindenburg stood fast there could be no question as to the outcome, but even had he not, the opposition would not have triumphed. There is too much at stake; Locarno meant too great a step forward for the treaties to be rejected while sanity ruled in Germany. We do not deny that there are uncomfortable things in those pacts and that it is more the spirit behind them than the text which will count in helping to keep the peace in Europe. We particularly regret that it was not possible for the Germans to obtain a reconsideration of the war-guilt issue and that much in the treaties strengthens the Treaty of Versailles while other portions override it. But as we have said, the overwhelming balance is on one side. While so much credit is being given to Briand and Austen Chamberlain let it not be forgotten that the Germans originated this whole proposal of a security pact for the Rhine.

SEDITIOUS CONSPIRACY and attempt to incite to mutiny and to seduce soldiers and sailors from their duty is the grave-sounding charge for which the twelve Communists on trial in London have been sentenced, some to six months and others to a year in prison. The first offenders, who were given six months, had even an opportunity to go free if they would pledge themselves to renounce the Communist Party and all its works. There is certainly an inconsistency here. If the charge is as bad as it sounds, if the safety of the empire is seriously threatened by these persons, then the punishment should evidently have been more severe. Deprivation of liberty for half a year indicates that the Crown does not really think the empire in danger; in that case, why say that it is? Why not merely charge the Communists with being a nuisance, with interruption of the sleep of worthy Tories, with loud talking on street corners, with any of a dozen minor offenses? For these a light sentence would be suitable and the triviality of the whole matter would be clear. In America we do these things more expertly; a man is sentenced to from five to fifteen years in the penitentiary. And while these sentences—and the British ones—are being served the republic and the empire go on about as usual,

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and in each case the Communist Party flourishes because of the persecution of its members.

IN RUSSIA, which some think a benighted and barbarous country, two gipsies caught at horse-stealing were burned alive by an infuriated mob. Walter Duranty, correspondent of the New York *Times*, grows eloquent on the subject: "From the background of medieval cruelty and superstition that still hangs, darkling, over the Russian people, there sometimes blazes forth a survival so monstrous as to be hardly credible." Is it not impolite of Mr. Duranty to be able barely to credit in Russia what is common news in the United States? Here, when men are burned to death, as they are every year in our glorious republic, when they are mutilated, hung to convenient trees, and their bodies punctured with bullets, when they are dragged through the streets with ropes around their necks and then shot, the news item is small and rarely makes the front page. Nor is this all. Mr. Duranty ends his account thus: ". . . only by degrees [the] facts became known to the authorities. Now, after five months and twenty-six days, the ringleaders have been arrested, including members of the village soviet . . who will be tried immediately by the Moscow tribunal." But at the most recent burning in the State of Mississippi the crowd was not so diffident; some of them were not afraid to be photographed standing near the victim; one of them was not afraid to say in the Jackson *Daily News:* "Investigation? Shucks, there won't be any. . . . No officer down there is going to dare try to identify anyone because nobody's mad about it." Alas, for barbarous, medieval Russia. We are in America; we burn men alive every year and they don't have to be caught doing anything; we just suspect them. But our victims are Negroes; and that, of course, is different.

WHITE SPACES both in the news and editorial columns of the *Campus*, the student publication of the College of the City of New York, effectively advertise the ban President Mezes has placed on further discussion of compulsory military training in that institution. The students voted 6 to 1 for the abolition of compulsion; they were duly denounced by certain self-constituted guardians of patriotism as traitors, from which charge Mr. Mezes defended them by a "they're all right but, boylike, they want to dodge some irksome drill" statement which, it has been pointed out, is neither complimentary nor true. Then the president clapped on the muzzle hard, adding denial of free speech and discussion to compulsory drill in an American college. For all this it would be easy to denounce Mr. Mezes and point again the finger of scorn at his brand of weak-kneed ineffectual liberalism. But to do this and merely this is to miss the true problem. We doubt if President Mezes likes his present role. We strongly suspect that he fears that any other would imperil the city appropriations which he feels the growth of the college demands. His fear may be a bit cowardly but it is not groundless. In other words, not one man but a false sense of patriotism in our governing bodies, and in the more articulate public opinion, is to blame. This ignorant, unreflective patriotism of preparedness is the enemy. Against it the City College boys are planning to keep up the fight. They deserve the active support of all citizens who love peace, liberty, and the best American traditions of education.

PRESIDENT COOLIDGE'S FIGURES in his recent speech before the Chamber of Commerce in New York City are as dubious as the economic principles he laid down. However much we may differ on economic principles, we are always ready to pay respectful attention to figures. But as the New York *World* has pointed out, these particular figures are questionable in the extreme. The President says that wages are 20 per cent above those of 1920 and 120 per cent above pre-war levels, while prices have fallen 30 per cent since 1920 and are only 57 per cent above pre-war averages. The result, obviously, is a paradise for the wage-earner of today. Paradise indeed, if only it were true! With 120 per cent more cash and only a 57 per cent increase in the goods that cash will buy, the improvement in the standard of living of the wayfaring man would be profound. The first trouble is that the President bases his statement on *wholesale* prices. The worker does not buy wholesale. The cost of living measured in prices the worker has to pay declined only 20 per cent from June, 1920, to June, 1925, according to the federal government's own Bureau of Labor Statistics. Secondly, the assumed 20 per cent increase in wages since 1920 is not borne out by statistical evidence. Average per capita wages for factory workers in New York State are now *below* the 1920 average and so are pay-roll figures as reported by the United States Department of Labor. The department reports average hourly wages for common labor at 38 cents, compared with 49 cents in 1920. Farm labor is receiving $49 a month, against $65 in 1920. So Mr. Coolidge's statistical utopia turns out to be, as Broadway would put it, a "flop."

A NEW OCEAN QUEEN has arrived in New York and her crossing may prove as epoch-making as that of the first transatlantic steamship. The new queen bears the historic name of Gripsholm and she belongs to the Swedish-American Line. She is the first Diesel-engine liner to enter the New York passenger service. No soot, no smoke—engines that work, similarly to those of automobiles, by direct explosive power—this is what the new boat has to offer besides a sea speed of 17¾ knots, something, it was stoutly averred, the Diesel-engine could never achieve because of the size and weight such a speed would call for and the cost. There is a greater original cost in the new as opposed to older types of engines, no less than $125,000 in an 8,000-ton steamship, which means more than $15 extra per ton. But the economy of operation is so great that European owners are not hesitating, and it is probably only a question of a short time before a majority of the cargo fleets of the world will be Diesel-engined. Lord Inverforth, president of the British Institute of Marine Engineers and himself the owner of Diesel-engine cargo vessels, is enthusiastically in favor of them. Comparing a steamship and a motor vessel of about the same size which recently voyaged in ballast from Japan to Australia and thence to Europe with a cargo of wheat, he finds that the Diesel ship earned $7,500 more profit than the steamship. Of special interest to intending voyagers on the Gripsholm is Lord Inverforth's assertion that in all weathers the new type is steadier, propeller revolutions being maintained regularly with an almost complete absence of the racing of the screws which, in rough weather, is so trying to passengers in vessels equipped with older types of engines. The internal-combustion engine is thus winning on sea as on land.

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Government by Guess

A NEW ENGLAND skipper who sighted one day a sandy coast observed to the mate that it must be Cape Cod.

"What makes you think so?" asked the mate.

"Because," replied the skipper, "I sail by guess and by God and I guess, by God, that that's Cape Cod."

The government of the United States, like a good deal of navigation, is largely a matter of guess; how much it is also a matter of God is for each individual to decide according to his opinion of the government—and of the Deity. Herbert Hoover, our Secretary of Commerce, seems to think that guess predominates. When Hamilton laid out the scheme of executive departments he placed the different functions of administration as nearly as might be into groups of the same general major purpose under single-headed responsibility.

> But ever since his time [says Mr. Hoover] we have been busy dividing responsibility by scattering services directed to substantially the same major purpose over many different executive departments and bureaus. Our governmental machinery has just grown. Whenever a new activity has been authorized or a new bureau created it has been thrown wherever it happened to be most convenient at the moment, or wherever its sponsors thought it would have the most friendly treatment, without any thought of a sound basis of organization, and we have shunted along misfit after misfit from one generation to another.
>
> On the executive side of the federal government we have grown to have more than 200 different bureaus, boards, and commissions, employing several hundred thousand people. For the most part they have been thrown hodge-podge into ten different executive departments, under cabinet officers. But there are more than forty independent establishments either directly under the President or directly under Congress.

The chief misfortune in all this, Mr. Hoover thinks, is the confusion of executive, legislative, and judicial functions. "Every single department, bureau, and board in the entire government," he says, "should be placed upon the operating table and a clean-cut separation established between semi-judicial and semi-legislative functions on the one hand and administration on the other." He goes on to explain:

> With the growing complexity of problems it has been necessary for Congress to delegate to the executive side many secondary legislative functions in the making of regulations, and many secondary judicial functions in the enforcement of them. That is the so-called administrative law. And there has been the crudest mixing of these semi-legislative and semi-judicial and advisory functions with purely executive functions. Moreover, these semi-judicial and semi-legislative duties are frequently intrusted to single officers, while purely administrative functions are often carried on by boards. All of this is exactly the reverse of the basic principles of sound administration. Boards and commissions are soundly adapted to the deliberative processes necessary to semi-judicial and semi-legislative and advisory functions, but they are absolutely hopeless where decisive administrative action is necessary.

As an example of boards in which there is an unsatisfactory mixture of functions Mr. Hoover cites the Shipping Board—surely a glaring failure—the Federal Board for Vocational Education, and the Federal Power Commission. But a board as administrator is no more out of place, he thinks, than a single executive who is saddled with legislative and judicial functions. "No individual should be at the same time legislator, policeman, prosecutor, judge, and jury. . . . The dangers of oppression in these matters are not merely a theory—they are a fact." The acts of the Bureau of Internal Revenue and of the Immigration Bureau frequently present striking instances of oppression through the combination of semi-judicial with executive powers—less the fault of the administrators than of the system.

Another weakness is the way in which services directed toward the same or similar purposes are scattered. Mr. Hoover makes the following partial classification to illustrate the point (the first vertical row of figures indicating the number of bureaus or agencies, the second the number of departments or independent agencies in which they are located):

Public works construction	14	9
Conservation of national resources	8	5
Direct aids to industry	5	2
Direct aids to merchant marine	14	6
Direct aids to education	6	3
Direct aids to veterans	4	4
Government of territories and dependencies	4	3
Public health	4	2
Purchase of $250,000,000 of supplies annually	In every bureau of the government	

The divided responsibility which results from this condition is fatal to the development of continuous and definite policies. Mr. Hoover cites the recent occurrences in regard to oil leases as an example of what happens when single-headed responsibility is lacking. "No policy of real guardianship of our reserve resources will exist until we put all conservation business in the hands of an Under Secretary for Conservation, with the spotlight of public opinion continuously focused upon him," he says.

Mr. Hoover summarizes his suggestions in regard to better federal administration thus:

> We have succeeded in two major steps; we still have a third equally important and perhaps more difficult one to accomplish. The first was the establishment of government employment based upon merit. The second was the establishment of adequate control of appropriations through the budget system. There still remains the third and even greater but more obscure waste—that of faulty organization of administrative functions. And the two first steps will never reach the full realization without the third. . . .
>
> What we need is three primary reforms: first, to group together all agencies having the same predominant major purpose under the same administrative supervision; second, to separate the semi-judicial and the semi-legislative and advisory functions from the administrative functions, placing the former under joint minds, the latter under single responsibility; and third, we should relieve the President of a vast amount of direct administrative labor.

Mr. Hoover has called attention to an unspectacular but vital need to which Congress may well address itself.

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Settling the Coal Strike

CONSUMERS of anthracite who have kept cool with Coolidge—and are getting cooler as the coal bin shrinks—will do well to study a proposal just put forth for the immediate settlement of the strike and for making such crises less inevitable in the future. As we go to press it is announced that the mine owners have refused the truce for resumption of work which was proposed by Governor Pinchot of Pennsylvania and had been accepted by the miners. In any event such truces get us nowhere in the settlement of fundamental difficulties. If progress is to be made in that direction, all parties to the question will do well to consider the proposal of which we speak. The Committee on Coal and Giant Power, with headquarters at 70 Fifth Avenue, New York City, has drafted the plan and has sent it to officials of the miners and of the operators. The committee is made up of liberal engineers, economists, accountants, publicists, lawyers, and business men, from all parts of the country. What they propose may be stated as follows:

1. A wage increase of 50 cents a day for all day workers. The 84,000 men in this group are the most poorly paid in the industry. They now receive from $4.62 to $5.96 a shift; thus the increase is in the neighborhood of 10 per cent.

2. For mining companies whose profits were better than 10 per cent on their investment for the 12-month period preceding the strike, no increase in prices shall be allowed. They can absorb the wage increase without hardship.

3. For mining companies whose pre-strike profits were less than 10 per cent on their investment, an increase of 25 cents per ton on domestic sizes of anthracite shall be allowed. It is estimated by the committee that this 25 cents will cover the $11,340,000 per year which the 50 cents a day wage increase calls for.

4. A revision of piece rates for those skilled miners who do not work on a day basis, so that no miner in this group will be able to earn more than $3,000 per year. This adjustment is to be introduced gradually over a three-year period, and will be based on 270 working days in the year—which is the normal operating period in the anthracite mines.

5. A raising of all piece rates which are below the average, up to the average of each craft. A main source of current trouble is the variation of piece rates in the same craft. This adjustment is likewise to be spread over a three-year period. It is to be worked out by fields and on the basis of a 270-day year.

6. The check-off (or collection of union dues by the operator at the time of pay-roll disbursements) shall be instituted only at those mines where a referendum shows two-thirds of all workers in favor of it. This provision would tend to establish whether the miners want the check-off or not.

7. The immediate appointment of a committee of seven; two members to be miners, two members to be operators, and the four to add three members representing the general public. This committee shall proceed forthwith to a determination of those companies which shall be allowed the 25 cents per ton increase; shall work out the technical detail of the proposed adjustments in piece rates; and shall supervise the balloting in the proposed referendums on the check-off. Such a committee would meet the drastic need of the industry for an executive body which should take into consideration the point of view of the consuming public as well as the viewpoints of the miners and operators.

8. The committee of seven shall submit to the public, six months before the expiration of the current proposed agreement, a complete report on the condition and the requirements of the industry. The committee shall not be an arbitrating body but a fact-finding body. It shall study all necessary problems of cost, profit, investment, depletion, royalties, labor efficiency, regulation of employment, waste elimination. It shall study with great care plans proposed by either miners or operators for the improvement or reorganization of the industry, in whole or in part. It shall have complete access to the books of the operators and of the miners' union. The expenses of the committee shall be underwritten jointly by the operators and the miners to the extent of $50,000 each. This last provision thus looks to the future peace of the industry. It lays the basis for negotiations founded upon accredited facts. A full half year before the termination of the current agreement the committee lays all the relevant facts before the country. In the light of such publicity another such farce as that staged last summer at Atlantic City would become impossible. The plan would end the procedure of fighting in a fog of irresponsible statements and harsh names.

Here is a concrete and to us an intelligent proposal. It is for the miners and the operators to show cause why it should not have the most diligent and serious consideration, to the end that an outrageous and intolerable situation may be liquidated—and kept liquidated.

Timotheus

THOSE who have always felt that only man's weakness has saved him from self-destruction find something ominous about the gradual perfection of his institutions and machines. That only the relative imperfection of the implements of war has prevented the nations from exterminating one another is a commonplace, but spiritual death has been often just as close as physical. Suppose, for example, that the Middle Ages had known enough of psychology to make its censorship and propaganda absolutely effective and thus frozen mankind immovably in the perfect orthodoxy which it desired. Or suppose that it had had the power which certain biologists confidently predict we shall ultimately have, the power of determining in advance the characters of the children born to us. Would it not, by choosing a race composed of perfect monks, have allowed mankind to die of frigid piety? And shall not we, if the powers denied a less scientific age are ever given us, use them as badly as the Middle Ages would have done? Is it not, in a word, true that man has been saved in spite of himself and because he could not control his own destiny?

In his "Icarus" Bertrand Russell solemnly suggested, without definitely proposing, this question; and now in "Timotheus; or the Future of the Theatre," a little volume published by Dutton in the same To-Day and To-Morrow Series, Bonamy Dobrée jokingly describes the place of the stage in the perfectly regularized society. Having possessed himself of the Wells Time Machine, he is pro-

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jected into the year 2100 and makes a tour of the theaters. Here, so he discovers, the crude method of the acted story has been displaced by devices constructed upon sound psychological principles for producing any desired emotional reaction in the audience. Shadowy figures flit across the ceiling of the strange, parabolic auditorium; curiously disturbing perfumes assault his nostrils; sounds not quite articulate buzz in his ears. Intellectually he comprehends nothing, but he is filled with a feeling of generosity, and when he sees the people hurrying away from the theater to subscribe to a national loan at the banks he understands the purpose of the performance. The state, being in need of money, has simply commanded a purse-loosening performance of a scientifically perfect effectiveness, and it can upon this as upon all other occasions produce in its citizens the mood necessary at the moment. When war is to be declared bellicose emotions can be easily aroused, and when peace is to be made an erstwhile militant audience can be transformed in the space of a few hours into a group of the most lamblike pacifists. Literature has been discarded as depending too much upon the temperament and thought associations of the individual for its effect, but rhythms and gases acting directly upon the nerves cannot fail, and thus the theater has become the perfect instrument of propaganda for which the world is obviously now seeking. Thanks to it there can be no argument and no dissent.

At the prospect thus presented—and it is not utterly fantastic—we can do nothing but shudder, for we do not like the idea of having any descendant of King Coolidge regulate the emotions of even our great-great-great-grandchildren. But if the arts are captured we see no hope, for art has, indeed, always been the one sure escape which even the orthodox have had from their orthodoxy. Under the very patronage of the church itself painting and sculpture reaffirmed the beauty of the physical world and the joy of living which the church was denying, and in literature is always found the instinctive protest of nature against the iron-clad inadequacies of theology, sociology, and ethics; for it is the proper voice of whatever needs or desires are unrecognized by current consciousness. Just as the fabliaux and the romances of the Middle Ages dressed the balance against the scholastic philosophy which made no allowance for man's humanity, so now art and letters defend the rights of this same humanity against the modern schoolmen who would reduce us to a mere social unit and measure all values in terms of science or sociology. Thus far they have always been the expression of the things which the state could not control and the thinker could not influence. A love story still saves us from taking the more fanatical apostles of eugenics too seriously and a drinking song remains a most popular argument against the prohibitionist who comes armed with a table of vital statistics. Just as art once saved us from the puritanism of theology, it saves us now from the puritanism of science. But should it ever become a science itself—the servant of the bungling intellect uncorrected by that instinct which will continue just as it did in the Middle Ages to know things which it cannot prove—we shall be completely at the mercy of that logic from which we escaped because it was not powerful enough to make us all monks, all utilitarians, or all positivists.

God help the people whose rulers are able to make both its laws and its songs.

"I Thank You"

WHO it was that originated the custom now universally adopted by American orators of high and low degree of concluding their remarks with a fervent "I thank you," we do not know. Careful research in the debates of the Constitutional Convention fails to reveal any such utterance by Madison, Monroe, Hamilton, or any others—which throws doubt upon the antecedents as well as the good Americanism of this practice. Traces of the custom appear in the early Know-Nothing campaigns. We have been unable, however, to verify the allegation that it was first used in the late fifties by "Jim" Wallace, a Missouri Dick Turpin, who in a somewhat lengthy speech at the gallows confessed his guilt, secure in his new-found faith in Jehovah, and thanked his audience just prior to his departure for eternity. We are, therefore, inclined to believe that the almost universal appearance of what is now the inevitable ending of every address is akin to those curious phenomena by which a hundred millions of people become infected overnight by a phrase such as "I'll tell the world" or "I hope to tell you."

We confess that to us the speaker's terminal gratitude still appears something of an inversion. Should the speaker thank the audience or the audience the speaker? Here is a subject for high-school and intercollegiate debates far more enlightening than those tedious battles of words as to whether America should enter the League of Nations or the World Court, or the debate now so popular in girls' schools: "Is the Unspeakable Turk Unspeakable?" We confess to almost never hearing a speaker thank his audience without feeling like rising and saying: "Thank *you!*" or "The thanks are on *us*," or "Thank Heaven you did not talk five minutes longer." Some speakers assure us that their conclusion is neither a custom nor a form, but a devout expression of their joy in finding one more audience committed to the doctrine of "Live and let live." Some opine, also, that after talking for an hour to a group of Rotarians or a chamber of commerce the concluding ejaculation is both an expression of relief at the ending of the impossible task of drilling an idea into the multitude before them and gratitude that their honorarium is safely earned.

In any event, they assert that the phrase is neither meaningless nor a mere formula. They insist that it pulsates with emotion even if their speeches do not. They point out, moreover, that it is capable of differing emphasis: "*I* thank you," as one conscious of his superiority to the Kiwanians before him; "I *thank* you," conveying the conventional relief that the joint ordeal is over; or "I thank *you*," with subtle but infinite scorn for the dunderheads who missed the point of the speaker's neatest jokes and most delicate sarcasms. Here we have a constructive suggestion to make (since every well-regulated editorial must end with one). We urge that the one-sidedness of the present arrangement cease and that, hereafter, at the conclusion of an address the audience shall rise and chant with the speaker: "I thank *you.*" This arrangement would have the further merit that everybody could then leave at once, and no kindly, pitying person need remain a minute to take the abandoned speaker's hand and say fervently: "I *did* so enjoy your brilliant address. What did you say the subject was?"

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The Aircraft Disgrace

By H. L. SCAIFE

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FOR eight years the American air services have been reeking with scandal. Twenty official investigations have failed to remove the sheet and ascertain the trouble, until finally only a corpse remains. Timely warnings have been unheeded. Truth has been suppressed, and out of a mass of conflicting testimony it is necessary to segregate the important facts and cite the official records that will fix the responsibility and indicate the wreckage that must be cleared away before a foundation can be laid for a constructive program.

The officer in charge of the information division of the Army Air Service at the Mitchell court martial testified that there were 517 fatalities in the Government's air services from January 1, 1919, to June 30, 1925, and that 25 per cent of the crashes were due to structural failure.

The testimony of the officer in charge of the tactical division of the Army Air Service is that we now have only 69 planes that are modern, up to date, and designed for the purposes for which they were intended.

At the close of the war Major General Mason M. Patrick, chief of the Army Air Service, testified that when hostilities ceased our rank in aviation was far behind any of our Allies and far below the enemy's strength, and that so far as the manufacture of pursuit and bombing planes in the United States was concerned we were practically in the same position as when we entered the war, and that it would probably be eight or nine months from the time they settled on a type before they would produce it in quantities.[1] The unsatisfactory situation which exists today may be gathered from the mass of details and conflicting opinions which have been made the basis of charges by Colonel William Mitchell.

The figures representing costs have been juggled, and it is not possible to ascertain with any degree of accuracy the amount of money spent or actually wasted. In an official statement issued by officials of the Army Air Service a discrepancy of $250,610,693.17 was discovered, which false information was given to the public with deliberate design.[2] An amount in excess of $700,000,000 was spent without producing a single American-made fighting plane at the battle-front, and during the war aviation fatalities in the United States, where American-made planes were flown, reached a higher figure than those of the American aviation forces in France where our aviators flew over the battle-front in foreign-made planes, some of which previously had been discarded by our Allies.[3]

Since the war another half billion dollars has gone to join the $700,000,000 already spent. Plans are on foot for still a further raid on the Treasury, this time for subsidies in the name of commercial aviation which, if allowed before the situation is cleared up, will probably mean a handout of another half billion.

The enormous amounts we have invested in aviation are almost beyond human comprehension. Since the war we have invested in aviation $125,000,000 more than the entire cost of the construction of the Panama Canal, including the $40,000,000 paid for the French rights and the $10,000,000 paid to Panama.

Under present conditions, according to statistics of what we have spent and what we have got, if an effective program should suddenly call for 2,000 fighting planes "designed for the purposes for which they are intended," delivery would be made in 232 years, the planes would cost more than $17,000,000 each and 18,453 lives. A rough comparison of gross expenditures and gross results shows on its face the earmarks of a colossal swindle. While such a comparison is true for practical purposes, it would not be fair without considering the large number of planes that have seen use and have become obsolete and enormous expenditures that were legitimate. Crediting the air services, however, with all the good that has been accomplished and with liberal allowance for all legitimate expenditures not chargeable to production, the difference between what we spent and what we got in part appears in the official audits of aircraft contracts in the Department of Justice, where the cases have been ready for criminal and civil prosecution for more than three years.

When an exposure of the aircraft frauds was carried to Congress in 1922,[4] notwithstanding the attempts to block an investigation and hush up the matter, there was no government official who had the hardihood to deny the existence of these frauds. On the contrary, Congress met the issue by providing for a so-called War Frauds Division in the Department of Justice, and, beginning in 1922, made annual appropriations of $500,000 for the prosecution of such cases, until during the last Congress the Department of Justice asked and received an increase in the appropriation to $1,000,000. Outside of $1,500,000 returned to the Government by the Lincoln Motor Company after exposures made on the floor of Congress by Representative Roy O. Woodruff[5] and the settlement of a few other cases involving amounts of magnitude, the results have been desultory and unsatisfactory. In such important cases as the Wright Martin Aircraft Corporation, the Standard Aircraft Companies, the American Bosch Magneto Company, the sound of official activity has been almost inaudible; and in many cases the statute of limitations in criminal prosecutions, which had been extended from three to six years in order that the Department of Justice should have ample time to act, has been allowed to expire for the second time without action.

Logical major considerations for the profiteer in planning, first, his escape and, later, a repetition of his offense are the facts that he will be winked at by the authorities, that the average independent and public-spirited citizen has little means of accurate inside knowledge of what is going on, and that many people forget tomorrow what they learn today. The same men who wrecked the Government's air-

[1] *Congressional Record*, May 12, 1921, p. 1352.
[2] *Ibid.*, May 21, 1921, p. 1593; *Ibid.*, Jan. 29, 1924, p. 1631; Dept. Just. Report.
[3] *Ibid.*, May 12, 1921, p. 1353, 1354; *Ibid.*, Jan. 29, 1924, p. 1625.
[4] *Congressional Record*, April 11, 1922, pp. 5290-5294.
[5] *Ibid.*, p. 5327.

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craft program during the war and got away with the spoils have continued to be awarded the Government's aircraft contracts without interruption up to the present day.[6] Not only has the will of Congress, evidenced by the appropriation of more than $2,000,000 of the people's money to insure prosecutions, been ignored, but aircraft companies charged with having received enormous amounts in overpayments on previous contracts have continued to receive new contracts without interruption. The Wright Martin Aircraft Corporation against which the then Assistant Secretary of War, J. M. Wainwright, on October 26, 1921, requested the Department of Justice to institute action to protect the Government's interest to recover alleged overpayments to the amount of $5,267,476.75, after changing its name to the Wright Aeronautical Corporation, in 1922 and 1923 received eighty-two contracts from the United States Air Service.[7]

On October 25, 1918, Charles E. Hughes recommended that Edward A. Deeds, who was in charge of the Government's aircraft production during the war, be tried by court martial for reprehensible conduct in acting as confidential adviser of H. E. Talbott, of the Dayton Wright Airplane Company, with respect to the transaction of business between that company and the division of the Signal Corps of which Colonel Deeds was the head.[8] The Dayton Wright company, of which Colonel Deeds was one of the incorporators,[9] after being exposed on the floor of Congress by Representative Roy O. Woodruff, was sued by the Department of Justice, on allegations of fraud, for the recovery of $2,408,267.41. After this suit was filed, this company received in 1922 and 1923, up to the time it went out of business, thirty government aircraft contracts.

At the beginning of the war the American pioneers, whose genius gave the art of flying to the world, were brushed aside and a group of companies was organized into an association known as the Manufacturers' Aircraft Association which took charge of the Government's aircraft business and has continued to control it until the present day.[10] Of the eighteen concerns which composed its membership two, the Standard Aircraft Corporation and the Standard Aero Company, were controlled by the Japanese banking house of Mitsui & Company, which was charged with being paymaster of the German secret service before we entered the war.[11] After the war these companies were charged with shipping American aircraft models and plans to Japan,[12] and they have been shown by official audits which have long since reposed in the Department of Justice to have received overpayments, along with their associated American companies, in gigantic amounts.[13] While testifying before a Senate committee in April, 1924, in regard to the alleged disappearance from the plant of the Standard Aircraft Corporation of about 122 carloads of material and planes and parts of planes belonging to the United States Government, valued at more than $800,000, the papers of Thomas F. Lane, legal adviser of the chief of the Army Air Service, were seized,[14] and he was immediately discharged by the War Department.

[6] *Congressional Record*, Jan. 29, 1924, pp. 1626-1629.
[7] *Ibid.*, p. 1629.
[8] *Ibid.*, May 12, 1921, p. 1355.
[9] *Ibid.*, Jan. 29, 1924, pp. 1628-1629.
[10] *Congressional Record*, January 29, 1924, p. 1626.
[11] *Ibid.*, April 11, 1922, p. 5293; *Ibid.*, May 12, 1921, p. 1356.
[12] Senate Hearings purs. to S. Res. 157, 68th Congress, first session, p. 851.
[13] *Ibid.*, p. 923; *Congressional Record*, April 11, 1922, p. 5293. Senate Hearings pursuant to S. Res. 157, 68th Cong., first session, p. 923.
[14] *Ibid.*, p. 921, 899-904; 938-958.

Upon the organization of the Manufacturers' Aircraft Association, two of its members who had been litigating over the Wright brothers' patents amicably settled their difference and through the so-called "cross-license agreement" originated by Mr. Howard E. Coffin, now a member of the President's aircraft board, and others, it was arranged that the United States Government should pay $2,000,000 royalties to these companies on patents, which rights had been sold to the British Government for £15,000. Through the operation of the cross-license agreement the pioneer manufacturers and inventors were forced out of business.

On August 22, 1922, the Thomas Senate committee, consisting of Senators Thomas, Reed of Missouri, Hoke Smith, New, and Frelinghuysen, filed the following unanimous report[15] in regard to the cross-license agreement, prophesying the aircraft conditions which exist today:

> The committee has not heard a word in approval of it. It is condemned by every aircraft manufacturer outside of the immediate beneficiaries. Those executing the license agreements have done so under protest because the aircraft board recommended or required it.
>
> Criticisms of it are numerous, the most serious of them being that it subjects manufacturers to onerous requirements, such as assessments for the use of plans and specifications, the purchase of the material and accessories from favored houses, the assignment and surrender of valuable patents and patentable devices to the Aircraft Association upon terms prescribed by itself, the discouragement of invention, and the inevitable control of the aircraft industry by that association or by some other interest through its agency. Your committee sympathizes with many of these sentiments, and notwithstanding the aircraft board as now officered no longer requires or recommends the execution of the agreements by contractors,[16] we believe the arrangement should be abrogated. We regard it as vicious and as designed to reap large profits by taking advantage of the necessities of the Government.

During the war, while Colonel Edward A. Deeds was at the head of the Government's aircraft production, Howard E. Coffin was president of the aircraft board, upon whose recommendation action was taken and contracts placed by the military authorities.[17] At the time the Thomas Senate committee was concluding its investigations, Mr. Coffin severed his official relations with the Government. For several years the report of the Thomas Senate committee, in whose membership there were able lawyers, was accepted by Congress as a correct disclosure until, within a few days from the time Mr. Coffin was appointed a member of the President's board to investigate the air services, the press reported an opinion delivered by Attorney General Sargent overturning these conclusions and approving the cross-license agreement and the conduct of the Manufacturers' Aircraft Association.

When the recent aircraft investigations were looming on the horizon, among those early on the scene were Howard E. Coffin, president of the National Air Transport Co., Inc., and C. M. Keys, president of the Curtiss Aeroplane & Motor Corporation. On January 21, 1925, Mr. Coffin appeared

[15] Senate Report No. 555, 65th Congress, second session, *Congressional Record*, August 22, 1918, p. 9333; *Congressional Record*, Jan. 29, 1924, pp. 1626-1632; *Ibid.*, Feb. 23, 1924, pp. 3020-3031.
[16] *Editorial note:* In this belief the committee was deceived as the cross-license agreement has never been abrogated and exists in current aircraft contracts today.
[17] *Ibid.*, Dec. 30, 1918, p. 887.

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before the Lampert aircraft committee and in his testimony[18] stated that he would like to quote from his statement in a former hearing on September 25, 1919, before the Committee on Military Affairs of the Senate: "The accomplishments of the War Department in aviation were easily among its best in the war."

The Lampert committee, apparently enlightened by the testimony of Coffin and Keys, failed to call to the witness-stand some fifty witnesses consisting of pioneer inventors and manufacturers who had been crushed and driven out of the aviation business.

During the hearings of the Lampert committee the Universal Service published the allegation that witnesses and newspaper men attending the hearings were being shadowed by agents of the Department of Justice. This statement was no doubt an injustice to the Attorney General; the man in charge of the espionage work was E. O. Irish, a former agent of the Department of Justice, no longer connected with it. On April 20, 1925, in the trial of the case, in the New York Supreme Court, entitled The People of the State of New York in the relation of Henry Woodhouse, plaintiff, *vs.* Aero Club of America, a spectator in the courtroom was suddenly called to the witness-stand and upon being asked his identity responded to the name of E. O. Irish. The following statements in his examination are taken from a transcript of the court's records:

Q. Will you state your business?

THE WITNESS: I object.

THE COURT: I will allow the question.

A. Investigator.

Q. For whom? *A.* Several.

THE COURT: Tell us who they are.

THE WITNESS: Howard E. Coffin.

Q. Next? *A.* Well, that is all I can say.

Q. You said several. Kindly state those. *A.* C. M. Keys, as far as I know.

Q. Who else do you represent?

THE COURT: Go on, tell us, what difference does it make?

A. As far as I know, Coffin and Keys, Howard E. Coffin and C. M. Keys.

Why is it necessary for men seeking to give information that might save their Government from final catastrophe to have their footsteps dogged when they enter temples of justice or the corridors of Congress? This is but a continuation of a damnable spy system which was fully exposed when it was shown that the Wright Martin Aircraft Corporation was maintaining a Washington headquarters within ear-distance of the Department of Justice and was carrying on its pay roll 195 men who were actually being paid by the Government through a system of suppressed vouchers.[19]

In the meantime while the Department of Justice delays in the aircraft cases, is it possible that the advisers of the President of the United States have not informed him that representatives of the Curtiss Aeroplane & Motor Corporation, of which C. M. Keys is the effective head, have been indicted for conspiracy to bribe and corrupt the authorities of government even in a foreign land? In the case of R E X *vs.* John Cyril Porte, William Augustus Casson, and Lyman J. Seely, the records in the Session House of Old Bailey, London, E. C., show that William A. Casson, an English barrister representing the Curtiss company, and Lyman J. Seely, who represented the Curtiss company in England, were indicted for a conspiracy to corrupt the British wing commander, John Cyril Porte, "to accept gifts as inducements or rewards for showing favor or disfavor to the Curtiss Aeroplane Company in relation to the affairs and business of the Crown." On November 19, 1917, Casson pleaded guilty to twelve counts in the indictment charging bribery and corruption and was sentenced to the maximum penalty of the law on each count. When Lyman J. Seely, the other representative of the Curtiss company, was called to the dock to answer the indictment, he was a fugitive from justice.

The following were among the remarks of Mr. Justice McCardie in passing sentence on Casson in the dispensation of British justice:

> William Augustus Casson, you have pleaded guilty to the twelve offenses charged against you.
>
> The crime of pecuniary corruption is gravely insidious; it saps the righteousness of the state. Honor is sacrificed for gold, duty is violated for gain, integrity is dissolved in the foul acid of secret bribery. I feel most deeply that my office of judge calls upon me to deal with a case in which a brother barrister is arraigned before me. For many years you have been a member of the English Bar, a body which prides itself on its high standards of personal honor. Its records have been stained today, though happily your case is in no way associated with any professional duty. . . .
>
> You are now in the winter of life. You have reached the age of 65. The burden of broken health has fallen upon you. In a letter which appeared in the evidence in this case in the court below I see that you wrote, not very long before the charge was made, "I have tried to live a useful life and can end it with content." The proceedings today are a tragic negation of that hope. For you, alas, the grave will close not on the memory of a stainless life but on the withering recollection of admitted crime and public disgrace. . . .

Shortly before the appointment of the President's aircraft board, Messrs. Coffin and Keys were reported by the press to have advised with the President; this event was followed by announcement of the personnel of the board, with Howard E. Coffin named as a member.

Has the President been imposed upon? When Howard E. Coffin and C. M. Keys have been and are now persons whose connections are within the scope of a fair and comprehensive investigation of the air services, they are certainly disqualified to participate in the plans of an inquiry that might be accepted by the country as a full and impartial disclosure.

With convenient smoke screens always available to raise a hue and a cry and obscure the issues, there have already been too many investigations that can be tersely expressed in the nursery rhyme:

> "Mother, may I go out to swim?"
> "Yes, my darling daughter—
> Hang your clothes on a hickory limb,
> And don't go near the water."

[*In his next article Captain Scaife will continue his discussion of the aircraft situation on the basis of the action of the Morrow committee and will point out an effective remedy for official whitewashes.*]

[18] Hearings, p. 1210.
[19] *Congressional Record*, April 11, 1922, p. 5292.

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Los Angeles's Campaign of Silence

By WILLIAM BOARDMAN KNOX

WHEN a community has spent millions—as Los Angeles has spent them—to establish itself in the mind of the public as an earthly paradise, and when its continued prosperity depends on the maintenance of this tradition, it is only natural that it should be exceedingly jealous of its painfully acquired reputation. Therefore to say that the Los Angeles Chamber of Commerce has been criminally culpable in forcibly preventing its own press and so far as possible that of the outside world from publishing conditions of plague and pollution existing there during the past summer would be inaccurate and unfair. It has only been human, loyal, protective of its own. It would also be inaccurate to state that the Los Angeles Chamber of Commerce has disseminated untruths regarding conditions. What it has done was to undertake an immense and successful campaign of silence, forcing the Los Angeles papers into submission by overt threats of economic pressure and palliating the foreign press with generalities and pleasantly incomplete statistics. Los Angeles during the past summer has been gripped by an epidemic of infantile paralysis as extensive in proportion to population as the New York epidemic of ten years ago—yet no word of the situation has appeared in public print. On the contrary the parents of all America were bombarded with invitations to bring themselves and their children to Los Angeles for their summer vacation.

The fact also remains, substantiated by numerous reports on file with the Los Angeles Health Department, that the city has been and is today faced with a condition of water pollution characterized by her experts (notably Dr. Walter V. Brem, Los Angeles bacteriologist) as a constant menace to the health of her people; and that all attempts to remedy conditions proved abortive because the Chamber of Commerce has feared the "unfavorable effect on the East which criticism of our water situation would have at this time," and has blocked the publicity necessary to the arousal of popular demand. It must, however, be conceded in passing that there is a second and noisier school of experts who claim that the constant discovery of B. coli (colon bacilli) in Los Angeles reservoirs is a matter of no importance and that the water has all the healing properties of the pool of Bethesda.

Los Angeles boasts of her water supply; she has spent millions to bring it from the remote Owens Valley. But unfortunately her water comes from two sources, the Owens Valley Aqueduct and the Los Angeles River. The water is piped to seven major storage reservoirs within the city limits. Her supply from these two sources is ample. The water piped from the valley undoubtedly reaches the city pure. The water, however, obtained from the Los Angeles River, a shallow murky stream flowing through overcrowded industrial districts, is unspeakably filthy. The city reservoirs are, according to official reports, so poorly constructed as to leave the water constantly exposed to pollution from the drainage of the surrounding country. Whatever the cause, repeated tests by Dr. Brem and others have never failed to show the presence of B. coli, the red flag of pollution, in her principal reservoirs, and as long as this condition persists an isolated case or two of typhoid in a strategic locality could at any time start an epidemic that would sweep the city.

As to the relative importance of the infantile paralysis epidemic which swept the city last summer, with all its attendant threat of horror and deformity, figures from the California State Board of Health at Sacramento may be illuminating. Up to October 3, 1925, 700 cases of poliomyelitis (infantile paralysis) had been reported. According to Dr. George Parrish, Los Angeles health officer, not more than one case in five is properly diagnosed and reported. Accepting that basis we have a total for the State of 3,500 cases for the first ten months of 1925. Los Angeles, for which complete figures are not available, represents approximately one-third of the population of the State. Its proportion then should be 233 reported and 1,155 actual cases. This proportion is roughly borne out by her report for four weeks ending October 17, which gave her a total of 23 reported cases against a State total of 77, or slightly less than one third.

To fully appreciate the hysteria which this condition produced and the unreasoning yet effective methods employed for the suppression of facts, it is necessary to review a little Los Angeles current history.

Following a boom second in feverish activity only to that now going on in Florida, Los Angeles bankers late in 1923 decided on a policy of conservative retrenchment in an effort to avoid the acute depression usually following a period of inflation. It was to be a nice orderly process with no one getting hurt too much and no values affected materially.

Fate intervened. No sooner had business adjusted itself to arbitrarily imposed restrictions than the entire State of California was ravaged by the hoof-and-mouth disease. Bordering States set up rigid quarantines and in some States the militia was called out to prevent the passage of goods or people over the California border. Business collapsed. Before it had time to recover, bubonic plague appeared in Los Angeles in epidemic form. For weeks an entire portion of the city was roped off, and the exodus from southern California began to resemble a flight before an avenging army. By this time her whole economic structure was tottering. Land values dropped 50 per cent; bankruptcy courts were flooded with yesterday's millionaires; bank clearings were cut in half.

The advent of these catastrophes caught the guardians of southern California's destiny entirely unprepared. For nearly half a century they had been building one of the most effective machines for the distribution of propaganda that the world has seen, but they had sought no method for the suppression of news. It had never occurred to them that anything concerning southern California would ever need to be suppressed.

The East and Middle West, embittered by long years of smug and abusive propaganda, leaped upon the Los Angeles dispatches with shrieks of glee and banner lines. They had suffered in silence while every Eastern thunderstorm was played up as a death-dealing tornado and every

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snow flurry was labeled "Scores Die in Eastern Blizzard"; and their turn had come. What were a few death-dealing tornadoes more or less compared to plague and pestilence and economic ruin? Every line procurable was seized avidly and enlarged. Space writers in Los Angeles waxed fat—from Eastern newspapers.

The press agents of the erstwhile paradise reeled and grew sick. Such things were unthinkable, impossible, preposterous. There were hysterical meetings and feverish forming of committees. Money was appropriated for every hair-brained scheme designed to stem the tide. An iron-clad rule was established that no matter concerning Los Angeles should be published by the local press unless it was officially indorsed by the board of directors of the Chamber of Commerce. Two papers which had published stories which might be interpreted as detrimental to the city found themselves as bare of advertising as Mother Hubbard's cupboard and were only too glad to return in sackcloth and ashes to the fold. The climax of the chamber's assumption of power was perhaps reached when a candidate for mayor was forbidden to attack the administration of his rival on the ground that his remarks might be detrimental to the prestige of Los Angeles in the East—and obeyed the command meticulously. So, when the next crisis came, hysteria was fairly in the saddle with a well-oiled and tried machine to carry out its dictates.

It may be interesting to see this machine in action. Whatever its ethics, its efficiency deserves nothing but praise. It is no easy matter to gag the press of an entire nation. Yet not one word of conditions in Los Angeles during the past summer has appeared in print except one brief Associated Press dispatch from Sacramento and such carefully predigested generalities as the Chamber of Commerce itself from time to time saw fit to give out.

The crisis developed at the June meeting of the health and sanitation committee of the chamber. This committee of fifty was a heritage of the bubonic-plague epidemic, and theoretically its sole purpose was the protection and conservation of the health of the city. The meeting in question was presided over by James Woods, vice-president of the Biltmore Hotel Corporation and executive officer of the Los Angeles Biltmore, a man of sterling integrity and, given freedom of action, of great constructive ability.

Besides the committee members, W. H. Pridham, president of the chamber, was present, together with a scattering of "safe" newspaper men. It was obviously a badly frightened gathering before whom Pridham opened proceedings by demanding inviolable confidence of the newspaper men present and the statement that the committee was faced with a situation which must be handled with great delicacy if they were to prevent a flood of unfavorable publicity which might seriously interfere with summer-tourist business.

The "situation" was then given bluntly and in words of one syllable by Dr. George Parrish, Los Angeles health officer. Infantile paralysis had become epidemic in the city. Some twenty odd cases had been reported during the past two weeks, and there was every reason to expect that conditions would become more acute as summer progressed. Unless drastic steps were immediately taken the epidemic might easily assume the proportions of a catastrophe.

The reaction was immediate and, to a person uninitiated in Los Angeles psychology, astounding. Except for an isolated voice here and there which was quickly drowned in the general hubbub, no further mention was made of the epidemic as such. With the only hope of checking the spread of the disease resting in a frank educational campaign which should enable the parents of the city to use all possible means to protect their children, this body of men, who had voluntarily charged themselves with the physical welfare of the community, apparently occupied themselves only with discovering methods whereby conditions could be so minimized that business should not be hurt.

After all it is not hard to understand their viewpoint. What are a few broken children, probably of people who don't count anyway, compared to the welfare and prosperity of a great metropolis? The following typical remarks made at the meeting may accurately reflect the true booster's point of view in the face of a crisis:

"Of course we control the press of Los Angeles, but what are we going to do with outside papers?"

"We must take hold of the situation and interpret it properly, or unfavorable publicity may develop from irresponsible sources."

"We cannot conceal the situation, we must handle it constructively."

"If we formally recognize an epidemic Eastern papers will exaggerate it and our summer-tourist business will be ruined."

The final action of the committee was typical, brilliant. After going on record to the effect that no epidemic was at that time officially existent, a statement was prepared for the press which read roughly as follows:

> Communicable diseases in all communities show a tendency to increase during the summer.
>
> There have been sporadic cases of infantile paralysis throughout the entire country, including California.
>
> The Los Angeles Health Department therefore recommends that due caution be exercised by parents in exposing their children to possible contagion, but emphasizes the fact that there is no cause for alarm.

This was followed by a few directions for personal hygiene and signed by the health officer.

The above statement was characterized by committee members as fully apprising the populace of conditions and giving them ample opportunity to protect themselves without creating unnecessary apprehension. The price that Los Angeles paid in death and crippled children for her summer epidemic is a matter of record.

The story of water pollution and its suppression is identical except that it is longer, more tedious. The water situation is as it has been for seven years and will be until some one finds an opportunity to lay its basic facts before the public.

It took Los Angeles two years to gain sufficient courage to ask the federal government to take over its losing battle with plague control. Even then it attempted to exact from Rupert Blue of the United States public health service a pledge of secrecy. Today, although no human case of bubonic plague has appeared in Los Angeles since 1924 and the federal health officials are about to withdraw, the harbor of Los Angeles is still under quarantine as a plague-infected area.

Los Angeles has by her campaign of silence succeeded in maintaining a tottering prestige, but she has paid a heavy price. It will be interesting to see how much longer she will find suppression more profitable than correction.

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Jobs for Women

By RUBY A. BLACK

THE American male breadwinner has received a grievous blow in the pocket-book.

As a result he has set up a plaintive, but clamorous, cry concerning pains in his altruism, his sympathy, his hope for the future, his love for the home, and various other of what he chooses to call his finer feelings. With the help of the Women's Bureau of the United States Department of Labor and other experts he has seized upon a new kind of gas bomb with which he may attack the camps of the encroaching female wage-earner. Says a representative of the Women's Bureau in a newspaper interview:

Women cannot stand the strain of business hustle and bustle as well as men. Thousands of young women break down every year. Thousands of these broken-down young women marry and have children, or die in the attempt, in this condition of physical unfitness. Women are more able to stand the clamor and dust and fumes of the factory than the speed and responsibility and tension of office work. Women can stand any kind of work better than professional work, such as law, journalism, and medicine. (No mention is made of teaching in the primary and secondary public schools. This profession probably involves a greater nervous strain than either journalism or law, but men do not greatly care to engage in it.) Therefore all these bright young women, who would make good wives and mothers if they were not too proud and vain to do housework, become "nervous, sickly persons whom no one wants around."

Then along comes another authority to discourage women from economic independence. Mrs. Sarah Conboy confines her remarks to the married woman earning her own living, however. Mrs. Conboy is secretary of the United Textile Workers of America.

"I feel that a married woman has no right to take a job if her husband can support her. She is simply keeping some unmarried girl out of a job. . . . A woman has enough to do if she runs her home properly. To leave it deliberately for a job is a misfortune. And, if she has children, it's a crime," declares Mrs. Conboy. She and the journalist who interviewed her then click off the following movie of a "bride-stenog":

> At seven o'clock she is piling up the breakfast dishes in the kitchenette sink.
>
> At eight o'clock she's rushing pell-mell to catch the suburban special into town.
>
> At nine o'clock she sinks into her desk chair, all fussed out from the morning's rush, "fit" for the day's work.
>
> [A merciful veil is drawn over the next eight hours.]
>
> At five o'clock she's hanging on a strap in the subway, just about "all in."
>
> At seven o'clock she and hubby are extracting a delicatessen supper from sundry tins with a can opener.
>
> At eight o'clock she's washing up the egg-incrusted breakfast dishes that have lain in the sink all day.
>
> At nine o'clock when hubby suggests the movies she's yawning and yearning for eiderdown "comfies."

(It seems to be universally taken for granted that these weak young women must perform all the household tasks while earning a living in an office, although nobody would think of asking the stronger male to hold two such jobs.)

The persistence and violence of these protests against women's economic independence are due to various, and sometimes conflicting, causes. They arise partly no doubt in a real if misguided concern for the welfare of the race; but in large measure, especially among men, their source is a different worry. Since the war the number of women who earn incomes large enough to be taxed under the federal income-tax laws has tripled. The total income taxes paid by the 813,819 women filing separate returns in 1921 was approximately $113,000,000, on net incomes of $2,098,028,624.

The actual increase in the number of women gainfully employed was a half-million between 1910 and 1920. But taking into consideration the increase in population, the proportion of women gainfully employed really decreased 2.3 per cent in the decade. In 1910 23.4 per cent of all women over ten years old were gainfully employed, while in 1920 only 21.1 per cent of the entire feminine population were earning money. Thus the increase in the amount of taxable income reported by women must be due to an increase in earning power.

A bulletin issued by the Women's Bureau contains what I believe to be the explanation of the outcry against woman in business and the professions and industry. The bulletin ("The Occupational Progress of Women," by Mary V. Dempsey) states that women managers and superintendents of factories were nearly three and one-half times as numerous in 1920 as in 1910. The number of men performing similar functions did not even double during the period. There were eight times as many women officials of factories in 1920 as there were in 1910. The number of women manufacturers and officials in factories, taken together, increased 77.2 per cent, while the number of men manufacturers and officials decreased 11.4 per cent. In the ranks of skilled labor similar advances were shown by women. The number of women telegraph operators increased 105.1 per cent, while the number of men in the same craft was increasing only 1.4 per cent.

Women real-estate agents increased 214.6 per cent between the censuses, and women insurance agents 100.4 per cent. Women theater owners increased to four times the 1910 figure. Other occupations in which the numbers of women more than doubled in the ten years are: Bankers and bank officials, 152.8 per cent; agents, 289.1 per cent; accountants and auditors, 273.1 per cent; clerks (except in stores), 284.9 per cent; teachers of athletics and dancing, 246.9 per cent; college presidents and professors, 240.6 per cent; lawyers, judges, and justices, 211.5 per cent; religious, charity, and welfare workers, 202.9 per cent; chemists, assayers, and metallurgists, 196.0 per cent; opticians (retail dealers), 169.4 per cent; decorators, drapers, and window dressers, 163.1 per cent; laundry managers and officials, 143.3 per cent; United States officials (except postmistresses), 137.1 per cent; retail florists, 136.4 per cent;

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retail dealers (department stores), 134.5 per cent; librarians, 131.6 per cent; designers, 119.3 per cent; retail dealers (curios, antiques, and novelties), 112.3 per cent.

This is not half the list of occupations in which five hundred or more women were employed in 1920 which contained at that time more than twice as many women as in 1910.

While the number of women bank officials was increasing 152.8 per cent, the men in the same capacities were increasing only 43.7 per cent. While the women insurance agents were more than doubling, the men selling insurance increased only 33.6 per cent. Men real-estate agents and officials increased only 13.8 per cent, while the women thus engaged increased 214.6 per cent.

The number of women city officials and inspectors increased 57 per cent, while the number of men performing similar services decreased 0.9 per cent. Women county officials increased 107.1 per cent, while men officials increased only 7.8 per cent. Postmistresses showed an increase more than three times as great as the increase in postmasters.

In professional service, the only occupational groups in which the number of men increased proportionately more than the number of women were: Artists, sculptors, and teachers of art; healers, including osteopaths, physicians, surgeons, and all other persons professing to cure disease in any way except dentists; musicians and teachers of music; and officials of lodges, societies, et cetera.

While the number of actors and showmen was falling off 4.2 per cent, the number of actresses and show-women was growing 9.6 per cent. Miss Dempsey ponders heavily on the reason for this. Possibly she has not observed the progress of musical comedies and variety shows in recent years, and the competition in large choruses. Men authors, editors, and reporters decreased 1.2 per cent in the decade, while women journalists were increasing 40 per cent. The number of men serving as college presidents and professors increased only 83.6 per cent, while women teaching the youth in the institutions of higher learning increased 240.6 per cent. Women designers increased more than twenty times as rapidly as men designers. Women keepers of charitable and penal institutions showed an increase of 2,686, or 119.6 per cent, while men thus engaged increased by 2,707, or only 51.6 per cent. Women librarians multiplied more than ten times as fast as men librarians, and women photographers nearly forty times as fast as men in the same business.

No wonder men view with alarm!

The ungrateful females whom they brought into business and industry to perform the less remunerative tasks have, with utter lack of taste and business ethics, invaded the branches of work which they had always meant to keep for themselves. It is not good for the women's health. Anybody could see that, except an illogical woman.

In 1921 a man out of a job wrote a letter to an editor demanding that the State departments discharge all their married women and employ men instead. In 1923, in a State distant and totally different, a controversy on the subject raged in the "Everybody's Column" of a newspaper. Many single women complained that they had been crowded out of their jobs by married women, who, they alleged, could afford to take less money for their work because their husbands were helping support them. This may appear to contradict the statement of the New York employers that married women have more nerve with which to demand increases in salary or other recognition than the unmarried ones have. But one argument is doubtless as good as the other, and both are freely and impartially employed.

At least the unmarried women have the honesty to admit the economic motive behind their demand that married women be discharged to make room for unmarried women. It is short-sighted economics, because when married women go into business they make room for still other women in business by increasing the amount of domestic work which is thus forced out of the household into other women's hands. These unmarried women happily have the grace not to put their complaints on the ground of the welfare of the women they want ousted. They want the women's jobs, and they confess it. Why cannot the men who are excited about the dangers to women's health likewise admit that they want these women's jobs, now that women have begun to offer effective competition?

As long as some persons can profit by keeping women out of business and professional life a heavy barrage of propaganda will be directed against their entering it, and statistics will be piled up to show that it is harmful to women to engage in such work. It is easy to choose statistics. Some day, however, some man, or some woman, will start large corporations for household engineering, the sort of household engineering which no more involves the woman who lives in the house than the manufacture and upkeep of the automobile involves the man who uses it. Of course, it is troublesome and costly to buy an automobile and keep it in repair. Some attention has to be paid to its maintenance. So will the man and the woman have to pay some attention to the way their house or apartment is cared for. But no more than they do to their automobile.

When such corporations are formed a flock of statistics will be trotted out to prove that woman's health is so wrecked by difficult and uncongenial housework that she is incapable of the best motherhood and more or less unendurable as a daily companion. We shall be shown the appalling waste of individual housekeeping. We shall be shown how much more industry could be brought to our city if only women would work outside their homes and let the people who know how and who profit by it take care of their houses, their cooking, their clothes, and their child-training. We shall be shown how many more jobs would be provided for our young men and women if our system of household and personal service were more efficiently managed. We shall read in the Sunday supplements that it is a crime for an untrained mother to dare attempt to train her own child. We shall hear the cry of "Scab!" flung at the woman known to do her own sewing. The woman who troubles to do her own housework will be known as an eccentric with a strange and expensive hobby, just like the man who insists on repairing his own automobile. The woman who accepts a living from her husband while she does nothing productive will be as much a social outcast as was the alimonied divorcée of the nineties.

You will then believe all these things, just as you are today convinced that it is a callous mother who would leave her child in the care of a trained teacher-nurse while she prepares a brief or edits a newspaper, and that a woman's prospects for happy marriage and motherhood are ruined when she earns her own living in the way she chooses.

Nothing is easier than choosing statistics.

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Power to Decide, None to Enforce

By JAMES N. ROSENBERG

HISTORY does, after all, repeat itself. The question whether we shall enter the World Court, and on what terms, has aspects strangely similar to one of the most puzzling problems which faced the gentlemen who, in the hot summer of 1787, wrote the Constitution of the United States.

That problem revolved around the Supreme Court. It will be recalled that the thirteen original States were thirteen high and mighty, chauvinistic, independent nations. Prior to the Revolution disputes between the Colonies—and there were some sharp ones—had been referred to the Crown. Under the Confederation, machinery had been set up similar to that of the Hague Tribunal for arbitration of controversies between the States. It proved unsatisfactory. When the Fathers met in Philadelphia they recognized the acute need of a permanent court of justice to adjudicate differences between States. So we find the world-famous provision in the Constitution creating a Supreme Court and giving that court authority to decide controversies between the States. The clause is today a commonplace, but in 1787 such a grant of power to a court to decide issues between sovereigns was a daring and unprecedented act.

But another question, even more troubling perhaps, faced the Fathers. How about the enforcement of a decree against a State? If the decree was to be capable of enforcement somebody had to be authorized to call out an army against the delinquent State. This would mean war. If, per contra, the decree was incapable of enforcement, what good was it? This was a tremendous question. As we face the World Court problem today, that same question looms even larger.

In 1918, writing his opinion in the noted case of Virginia *vs.* West Virginia,[1] Chief Justice White declared that contemporary records failed to disclose that the Fathers considered this problem of enforcement. The learned jurist was in error. The Virginia Plan for a Constitution provided for calling "forth the force of the Union against any member of the Union failing to fulfil its duty." That provision was, however, not included in the Constitution, and Madison's observations tell the reason why:

> The more he reflected on the use of force [wrote Madison] the more he doubted the practicability, the justice, the efficacy of it. . . . A union of states containing such an ingredient seemed to provide for its own destruction. The use of force against a State would look like a declaration of war.[2]

Hamilton, Ellsworth, and Marshall expressed similar views. The New Jersey Plan for a Constitution also proposed force against delinquent States, but the counsel of such men as Madison evidently prevailed, for the Constitution sets up no apparatus for enforcement of the decrees of the Supreme Court against States.

Hence we find that a novel court was erected in 1787; a court having jurisdiction to decide controversies between sovereigns, but without a sheriff to enforce such decisions; the anomaly of a court with broader jurisdiction yet less power—if power be measured by armed force—than any other court in the world's history.

What has been the court's career in the one hundred and forty years which have elapsed? A detailed answer to that question would require far more space than can here be allowed.[3] Let me summarize then:

(a) Until 1918 the Supreme Court, which had by then sat in over forty cases where State sued State, not only never attempted to exert power over a State but, when called on to discuss that question, invariably declared it had no such power.[4]

(b) In 1918, however, Chief Justice White, in the West Virginia case, declared that "judicial power essentially involves the right to enforce."

But did he try to enforce? Did he send a sheriff to the State of West Virginia? He did not. He pleaded with West Virginia to acquiesce voluntarily in the court's decrees and so save everybody from an embarrassing and disagreeable situation. If you doubt me, read his opinion. So we find that there has never been an instance in our history where an attempt has been made to enforce a Supreme Court decision against a State by the exertion of power.

During these one hundred and forty years all manner of interstate controversies have come before the Supreme Court—boundary disputes, economic quarrels, all the typical and favorite war-breeding issues; they have been resolved by the court and peaceably acquiesced in by the States, except in a few rare cases in our earlier history where, the States declining to acquiesce, the decrees were not enforced. Fortunately so, for an attempt to enforce would surely have resulted in war.[5]

History repeats itself, I said. We are faced with the problem of entry into the World Court. The World Court, as now constituted, is backed by the power of the League. That is the reasonable construction to be put upon Article 13 of the Covenant of the League as I endeavored to point out last week. The history of the Supreme Court of the United States discloses not only that a court lacking power to compel the enforcement of its decisions against a sovereign can serve a useful purpose, but, much further, that the only kind of World Court which can be of any real use is a court stripped of such power; for once the court is backed by power it becomes by that very fact a court of arms instead of a court of justice.

Hence the Senators of the United States, in considering the question of entry into the World Court as presently constituted, have a nice question before them as to the exact language of the reservations and conditions pursuant to which we should enter the court, lest we find ourselves members of a court of arms instead of a court of justice. What should those reservations be? That is the question with which the Senate of the United States will presently have to wrestle. An answer to it will be suggested in a concluding article next week.

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[1] 246 U. S. 565.
[2] 5 Elliot's "Debates," page 140.
[3] See *Columbia Law Review*, vol. xxv, p. 783.
[4] Marshall, C. J., 5 Pet. 1, 20; Taney, C. J., 24 How. 66, 109.
[5] Cherokee Indian cases 5 Pet. 1, 20.

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The Only Hope in France

By ROBERT DELL

Paris, November 16

THE French financial problem will not be solved until the nature of that problem is better understood in France. All French parties are agreed on two points—that there must be no inflation by a further issue of bank-notes and that prices are too high and must be brought down. On these points the Socialists join hands with the *Temps* and the *Echo de Paris*. The Socialists have refused to agree to a small issue of bank-notes to repay the three-year bonds falling due on December 8 with the result that they are to be subjected to what is in fact a moratorium. Their holders have the choice of accepting in return Bons de la Défense Nationale at three, six, or twelve months, a security that can be used for paying taxes next year, or new three-year bonds repayable on December 8, 1928. That, at least, is what is now proposed. The *Temps* fulminates against any further issue of bank-notes in any circumstances, but also objects to any alternative. The solution of the financial problem, according to the *Temps*, is very simple. All that is necessary is "a Government that governs with due regard for the national honor and in accordance with the fundamental principles of civilization and progress." This does not seem very helpful in a crisis like the present. There are many ways of applying the "fundamental principles of civilization and progress," whatever they may be, to questions of currency and finance.

What the *Temps* probably means is that, if confidence were restored, the holders of short-term bonds would go on renewing them indefinitely and taking more. The pleasant financial method of the Bloc National—piling up budget deficits and covering them by short-term loans—could then be renewed and all would be well. This is the note of the whole Opposition press. M. Caillaux has destroyed confidence by telling the truth about the financial situation, or, as they put it, by libeling his predecessors, and by proposing to make the rich pay taxes, which is an attack on property. There is no financial crisis. The crisis is political and is due to lack of confidence. If only the Bloc National came back to power, the franc would soar, prices would go down, and everybody would be happy. These writers seem to forget that during M. Poincaré's premiership the franc on one occasion fell to its present value. But that, of course, was due to a malignant conspiracy against France and her flag, not to the financial methods of the Bloc National.

It is a pity that party feeling should so blind people to facts. There has, in fact, been a certain revival of confidence during the last six months, but no amount of confidence could alter the situation created by the reckless financial policy of the last eleven years—for the primary cause of the present situation was the refusal to impose adequate taxation during the war. All parties are to blame to some extent for the situation. The Herriot Government did not, as they should have done, face the situation when they came into power, tell the country the truth about it, and at once try to put it right. Instead, they drifted until their own situation became impossible. Nevertheless, by far the greatest responsibility for the French financial crisis is that of the successive governments that ruled France from 1914 to 1924, especially the post-war governments of the Bloc National. M. François-Marsal and M. de Lasteyrie, both of whom were finance ministers of the Bloc National, have been giving their opinions on the situation. They, of course, denounce inflation as ruinous, but what do they call the makeshifts into which they were driven by the policy of putting more than half the national expenditure into extraordinary and extra-extraordinary budgets, with no revenue to balance it, and even then failing sometimes to balance the ordinary budget? It is astonishing that anybody in his senses could suppose that such a system could be continued indefinitely. It is not the fault of the present Government that it has had to meet obligations that M. François-Marsal and M. de Lasteyrie bequeathed to their successors without making the smallest provision for meeting them. Nor is it lack of confidence that makes many holders of short-term bonds present them for repayment, but merely the fact that they need the money. When people take short-term bonds, it is because they do not wish to invest the money permanently, since they know that they will need it sooner or later. The truth is that the capacity of the French *épargne* has been exhausted by all the loans of the last eleven years and there is no more money available to lend to the state. It was inevitable that this should happen some time.

This being so, it is clear that drastic measures are necessary. All that the Opposition have to propose is more indirect taxation—although the indirect taxes are already about four-fifths of the whole national revenue—or the consolidation of the floating debt on ruinous terms. M. de Lasteyrie, for example, suggests that the holders of short-term bonds should be offered a loan at 6 per cent, free not only from income tax but also from death duties up to a certain amount. In the *Temps* on November 12 Professor Jean-Louis Faure proposed a tax of 5 per cent on all purchases of every kind, except those of wheat and bread, to be paid by the purchaser and levied by a stamp affixed to the bill, the article itself, or the paper in which it was wrapped. This proposal the professor declared to be inspired by the "elementary truth" that people should be taxed on what they spend, not on what they earn—a most comfortable policy for the wealthy miser. It would be quite easy, Professor Faure thought, even for a workman earning £1 a week to pay such a tax, especially since it would lead to a rise in the value of the franc and, therefore, a reduction of the cost of living and general prosperity.

It is amazing that a professor should imagine that the cost of living would be reduced by the return of the franc to par, which he apparently believes possible. This delusion is, however, almost universal in France, although the experience of the stabilization of the mark should have shown its absurdity. After the stabilization of the mark retail prices rose in Germany about 400 per cent in a few weeks. Naturally, the rise would be far smaller in France, where gold prices have not fallen to the German level, but there would inevitably be a rise. Moreover, it is desirable that there should be. The franc is now worth about 21 centimes, the general wholesale index number for October was 584 and the index of retail prices in Paris 433. This abnormal state of things can hardly continue indefinitely, but nobody here seems to recognize even that retail prices are low. The *Temps* said last Sunday that the "profound causes" of the present trouble were the depreciation of the franc and the rise in prices. Socialists and Communists talk in much the same way. As I have said, all parties

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are agreed that prices must be reduced, that is to say, they are agreed on the impossible.

Nobody, to my knowledge, has suggested that perhaps the first thing to do is to stabilize the franc and return to the gold standard, not, of course, to attempt to bring the franc back to par but to stabilize it at its present value, or some convenient approximate value, say 20 centimes. I can see no reason why this should not be done. It would be much more easy than was the stabilization of the mark in November, 1923, but, of course, it would involve unpleasant consequences for a time. When, however, a surgical operation is necessary, the sooner it is performed the better. It might be desirable to issue a new transitional currency to a fixed amount, for internal use only, on the lines of the German Rentenmark, which for a time could be used side by side with the existing currency and be interchangeable with it at the rate of one new franc for five old ones. This would, of course, be a limited internal inflation, but nobody would know it in France, and probably such an inflation once and for all is necessary in present conditions, as part of the process of stabilization. At any rate, the experience of Germany and many other countries has shown that, until the currency is stabilized, all schemes of financial restoration are vain.

In the Driftway

A LETTER published lately in the New York *World* attempts to shatter another of the few familiar myths which are left to us. Queen Marie Antoinette, it seems, did ask "Why do they not eat cake?" when told that her subjects had to do without bread; but she was far from meaning what her words are generally thought to mean. *Gateau*, or cake, so the letter alleges, meant a coarse kind of buckwheat cake; and bread, in those days, was a great delicacy. Thus it was quite natural for the royal lady to inquire why her humblest subjects did not content themselves with the humblest fare. All this is as it may be. Marie Antoinette was probably not the simple little fool that history has tried to make her out; just as George Washington was not the sort of boy who would say to his father: "I cannot tell a lie; I did it with my little hatchet." But these things should be kept from the public. They should be allowed to keep their illusions about heroes and heroines; if once the truth gets about that these great personages are very like everyone else, what will become of history or romance?

* * * * *

AS the Drifter has often pointed out, however, romance is still going strong. From the advertisement of a Florida development company he takes the following choice extracts:

> The Cloister Inn will open in January under the management of Louis Sherry. A cabaret boat will be anchored on Lake Boca Raton, offering Broadway talent. One of the largest radio-broadcasting stations in the country is being constructed there. And an ancient cathedral is being brought over from Spain to be erected there in memory of the promoter's mother.

This is surely going Mr. Henry Ford one better, for he has as yet done nothing but bring piecemeal and erect on his property a New England inn or two. The time may come when the Coliseum will rest quietly on top of the Palisades, when the waters of Lake Michigan will reflect the Parthenon, when the Forum will be a side-show of Coney Island. Then it will be proper to begin carrying off American antiques—when time creates them—to Brazil, perhaps. The Drifter has no doubt that the largest grain elevator in the world would look well on the banks of the Amazon.

* * * * *

A HORRIBLE example of what might appear in the daily papers instead of the crime news that causes so many people to shudder is offered by two newspapers in the Far West, edited for the day by a group of clergymen and of club-women, respectively. The clergymen minimized news of violence and law-breaking, censored advertising copy, omitted dance advertising, and featured articles about institutions doing humanitarian work. Not content with this, each pastor-editor contributed an editorial on good-will; and a statement from Charles Evans Hughes on the front page urged the need for tolerance in America. The club-women banished crime news from the front page, eliminated all but one—the "least offensive"—of the comic strips, and omitted serial stories. The Drifter has seen neither of the papers in their chastened form, but to him they sound like examples of horrifying dulness. This is not the way to abolish interest in crime; rather it would inspire any otherwise peaceable citizen with a desire to assassinate all such editors. Far better Boca Raton and the imported Spanish cathedral than four editorials on good-will.

THE DRIFTER

Correspondence

Not the Wisdom of Solomon

TO THE EDITOR OF THE NATION:

SIR: Just a detail: Solomon didn't say "Spare the rod and spoil the child" [*The Nation*, October 28, page 476]. Hudibras said it. What Solomon said was: "He that spareth the rod hateth his child."

Pasadena, California, November 2 UPTON SINCLAIR

Anita Whitney and the Courts

TO THE EDITOR OF THE NATION:

SIR: Will you permit a few words of comment on your editorial Guilt by Association in which you discuss, in your issue of November 4, the dismissal by the Supreme Court of the Whitney case "for want of jurisdiction"? I hope I need not say that the California syndicalism act and all its kind violate those traditions of American tolerance and freedom of opinion which President Coolidge celebrated in his speech the other day to the American Legion. Nor need I express my sense of grief that any American governor should withhold his power of grace from such a devoted spirit as Miss Whitney and actually allow her to go to jail. Your editorial, however, raises an important issue in regard to the Supreme Court's relation to the Whitney case. You criticized the Supreme Court for failing to take jurisdiction of the case and assert that "lawyers who are neither inexperienced nor naive with respect to the jurisdiction of the Supreme Court find the Whitney dismissal puzzling."

As you pertinently remark, "the jurisdiction of the Supreme Court of the United States is a fairly technical matter." The issue must therefore be judged by those versed in the technical law. Judged by the settled doctrines of the Supreme Court, the record in the Whitney case debarred assumption of jurisdiction by the court for the all-sufficient reason that the Supreme Court of California, in sustaining the conviction of Miss Whitney under the California statute, had not denied any federal right which had been "specially set up

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or claimed in the State court" by Miss Whitney. The claims in counsel's brief, to which you refer, cannot possibly furnish basis for jurisdiction. The only specific claim of *federal* right in the record of the Whitney case was a certificate of the California Court of Appeals filed two and a half years after the record of the case had been filed in the Supreme Court at Washington. Such a certificate, it is settled, cannot originate a federal right. Such a certificate might be availed of to make more certain that which was in the record; it cannot put in the record what wasn't there when the State court finally adjudicated.

All this may sound extremely technical and to some extent, of course, it is. But behind the so-called technicalities of appellate procedure lie grave questions of power by the Supreme Court over the concerns of the individual States. *The Nation* has frequently criticized the Supreme Court for undue intervention in State affairs. Nor can we be too alert in our watchfulness of the most delicate mechanism in our governmental system, namely, the control through the Supreme Court of State legislation and State adjudication. Nothing is more important than to safeguard the exercise of this delicate power by a carefully defined system of procedure under which the Supreme Court may review State court decisions, and a strict adherence to these rules. That is precisely what the Supreme Court did in refusing to take jurisdiction in the Whitney case, although it saw fit not to spell out the ground of its inability and merely to refer to the governing statute in the light of the record and of the authorities with which lawyers "neither inexperienced nor naive with respect to the jurisdiction of the Supreme Court" are supposed to be familiar.

Cambridge, Mass., November 11 FELIX FRANKFURTER

[The views of so distinguished a legal scholar as Professor Frankfurter are entitled to much weight. But other lawyers, also well read in the Supreme Court's jurisdictional precedents, fail to find in them a conclusive explanation of the Whitney dismissal. Irrespective of the form of the antecedent record, the Supreme Court has ruled that "where a State court holds that a federal question is made before it, according to its practice, and proceeds to determine it, this court will regard the question as duly made." (Miedreich *vs.* Lauenstein, 232 U. S. 236, 243.) The amended remittitur which the California Court of Appeal undertook to make part of its record in the Whitney case declared positively that that court had in fact considered and adjudicated the federal constitutionality of the statute under which Miss Whitney was convicted. Prior practice of the Supreme Court gave ground for confidence that that court would take jurisdiction. (Consolidated Turnpike Co. *vs.* Norfolk & Ocean View Railway Co., 228 U. S. 596, 599; Marvin *vs.* Trout, 199 U. S. 212, 223; Rector *vs.* City Deposit Bank, 200 U. S. 405, 412.) In the absence of an opinion by the Supreme Court, the accumulated precedents, from which it did not see fit to specify any as controlling, leave the ground of its decision far from satisfactorily clear.—EDITOR THE NATION.]

William Montgomery Brown

TO THE EDITOR OF THE NATION:

SIR: The accounts I have read of William Montgomery Brown's trial fail to shed any light on your assertion [October 21, page 449] that the bishops in their inability to draw the line between permissible and unpermissible interpretations of the creeds fell back, as you assert, on the sacred fourth-century words of the liturgies as "doctrine" to which a bishop must subscribe. They did insist that the articles of the creed are to be accepted in the sense in which they were probably imposed, whether that sense is literal or figurative, and that symbolical reinterpretation cannot mean repudiation of the very thing interpreted. I should be interested to learn just what liturgies they fell back upon for "doctrine," "fourth-century words," as you describe them. The bishops rested upon the Catholic creeds and the first four ecumenical councils; and in doing so the Episcopal church in America sacrificed none of its traditions. Has it ever built up the tradition by even one precedent of allowing its bishops to promulgate in season and out of season a propaganda deeply prejudicial to the teachings of the church?

If you demand such of the church (and the tone and temper of your editorial implies that you do) then you are in logic bound to deny any organization the right to exercise control over its membership. All constitutional and parliamentary law recognizes the right of the organization to prescribe conditions and regulations over its membership, and to most clear-thinking people an organization is not considered impossible and bigoted if it exercises that control over individuals who have ceased to adhere to their corporate obligations and promises.

Even in the political world (where the analogy is not quite exact, because parties are not fixed in doctrine and organized like the church) it is considered poor taste, if not indefensible, for a man to be a communist, say, and do what he can to destroy the Socialist Party of which he remains a member; and, as I remember, *The Nation* has more than once made caustic and just criticism of those Northwestern Senators and Representatives who like to be counted as Republicans when it comes to committee assignments but who rant and rave about the G. O. P. to their constituents back home at primary and election time. Victor Berger was the only one of their school in the last Congress who could stand on his two feet with entire self-respect and tell them that they couldn't eat their Republican cake and have it too. I think the common sense is all with Mr. Berger and the common sense would also have been with Mr. Brown had he resigned his official position in the church when he came to repudiate as false her position which he had vowed to uphold when he was ordained to her teaching and priesthood.

The church has robbed William Montgomery Brown of nothing; she has merely refused to let him continue his misrepresentation of her standpoint and doctrines while holding the position of bishop and priest.

Newark, N. J., October 29 ROWLAND F. NYE

Our Gallery of Iniquity

TO THE EDITOR OF THE NATION:

SIR: I notice in your issue of November 4 that you have added to your gallery of iniquity the name of Walter Hines Page.

I really do not believe that you have left out of this "honorary society" any man who has done any constructive work through the last one hundred years, except Roger Babson. I do think you could get up a really good attack upon Mr. Babson. He does worth-while things and needs a good wallop, such as you alone are capable of administering.

Please let me know just when you will launch this particular broadside as I want to be sure not to miss it.

RODERIC OLZENDAM

Sault Sainte Marie, Canada, November 6

Wilson and Lodge

TO THE EDITOR OF THE NATION:

SIR: Permit me to point out an error in Mr. Hard's extremely "neutral" review of the late Senator Lodge's book on the Senate and the League of Nations Covenant [November 4]. According to Mr. Hard, Grey, the British foreign minister, found the Lodge reservations "acceptable." This is not true. What Grey said was that the reservations would not, in practice, prevent full and active American participation in the

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work of the Council and Assembly of the League. He thought that the American members of the League's agencies would forget or ignore the reservations when dealing with vital and grave issues, and he very much wanted America in the League, terms or no terms.

Grey was right, and so were the other Europeans who, while objecting to the nullifying Lodge reservations, advised acceptance of them by President Wilson and his pro-League followers. But, as we have learned since, Wilson had his own reasons for rejecting the reservations. Europe might swallow them, but he found them incompatible with constitutional provisions covering the power and province of the Executive, and he was far too conscientious to acquiesce in violations of the Constitution. He vetoed a budget bill for like reasons, though he favored a federal budget. Time may yet completely vindicate him.

What Lodge thought, or said he thought, of Wilson is matter of no consequence whatever, and a *Nation* reviewer might have recognized that fact. Lodge never performed an unselfish act, never originated or helped originate a liberal or constructive measure, and never revealed any knowledge of the political and social sciences. He was a reactionary and a pedant. When Roosevelt foolishly suggested his name to the Republican Convention of 1916 for the presidential nomination, even that far from progressive body stared, smiled, and shrugged its shoulders. Lodge never had an ideal and never inspired affection or enthusiasm. To compare him with Wilson —despite the latter's temperamental shortcomings—is to outrage every liberal and radical sentiment.

The talk of Wilson's failure makes judicious radicals weary. It is the opposition to him that failed. Wilson made many mistakes, but he did give the world the League of Nations, and sooner or later America will follow Ireland and Germany and enter that League. Impossibilists and standpatters are doomed to defeat. The true pacifist is a staunch friend of the League and all its works. The Dawes Plan, Locarno, Balkan peace today, and other hopeful and promising achievements all owe their existence to the League, and hence to Wilson.

Chicago, November 7 VICTOR S. YARROS

Benjamin R. Tucker's Publications

TO THE EDITOR OF THE NATION:

SIR: Some of those who were interested in it during its life have recently been collecting stray numbers of *Liberty*, a magazine published by Benjamin R. Tucker from about 1882 to 1908, in Boston and New York. The purpose of the collection is that of a clearing-house to establish permanent files of the individualistic literature that was printed and presented by Tucker and others at that time.

I should be very glad if any of the readers of *The Nation* who have any Tucker publications, and particularly individual numbers or complete files of *Liberty* and Spooner pamphlets which they may wish to exchange for other similar material, would communicate with me [112 West Adams Street] so that their needs and their offerings can go through the clearing-house.

Chicago, October 28 R. J. BAKER

Our Washington Correspondence

TO THE EDITOR OF THE NATION:

SIR: I am delighted to see by this week's *Nation* that you have acquired the services of our good Baltimorean, Frank Kent, to write you biweekly letters from Washington through the winter. It is a coincidence that this connection should begin so soon after H. L. Mencken linked Mr. Kent's name with yours, as the only two journalists in the country who saw through Mr. Coolidge's famous tolerance speech.

Baltimore, November 18 T. M.

An Appeal for Holzapfel

TO THE EDITOR OF THE NATION:

SIR: A tragic fate menaces one of our prominent thinkers and investigators. The creator and founder of the new scientific psychology of the "Pan-Ideal," Rudolf Maria Holzapfel, is exposed to imminent danger by a serious disease and the economic consequences of the war. The continuation and completion of a new and monumental work to which he has devoted more than twenty years of labor and which will crown his life, is thus put in jeopardy. The life and work of such a man must under all circumstances be saved and secured.

Contributions will be received by the Emergency Society for German and Austrian Art and Science. Checks should be made payable to James Speyer, treasurer, and sent to Professor F. W. T. Heuser, secretary, Columbia University, New York City, indicating that the contribution is intended for the special Holzapfel Fund.

ARTHUR SCHNITZLER, ROMAIN ROLLAND
HERMAN BAHR, HEINRICH FEDERER
C. A. BERNOULLI, THOMAS MANN

Vienna, October 7

A Menshevik on Russia

TO THE EDITOR OF THE NATION:

SIR: I have been a constant reader of your, I'll say our, *Nation* since the day I learned the English language well enough to understand and digest what I read. I always find pleasure in reading it, as I always find the truth in it about life in the United States, which is strange to me to a certain extent. *The Nation* helps me out a great deal.

I am also often delighted at the way you deal with the affairs of my old country, Russia, in your editorials, articles, and correspondences, having one ultimate aim: to get as near to the truth as possible and share it with the readers.

Knowing that, I asked myself if it wouldn't be of interest to the readers of *The Nation* to see a letter of a student in Russia, a married man in the thirties, active in political life, Menshevik by faith, but a loyal citizen. He lives in Kazan. The letter is to his brother in Brooklyn. Here it is, in part:

> It is much better now, economically and politically. If there was a question till now how and where to get bread, dry bread, this question gives place now to other, higher requirements of life, to a standard which is not far away from that of Europe or your own country.
>
> There is not a trace left of what was known as "war communism." It is a thing of the past. Every citizen may express whatever opinion he wants to, without interference. You know that there was a cleaning of the undesirable element in the student body. (Luckily I escaped, as you know.) And I must say that the majority of the expelled students were of the "black hundreds." Now, imagine, by a decree of the central government, they are all reinstated, no matter what class they belong to, or what political opinion they have.
>
> The relation of the government to the intelligentsia is very friendly. They appreciate our work and prize us. They give special privileges to the so-called *spetz* (intelligent worker specialist). And in order to secure a high and responsible position you should not belong to the Communist Party. You should have a head on your shoulders and ability to do work. The old system of spying on and controlling non-communist workers is long forgotten.

I hope that you will publish this very interesting letter.

Brooklyn, October 26. H. WASSMAN

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International Relations Section

Disarmament in Denmark

By JULIUS MORITZEN

WHILE the Danish military maneuvers this year are on a scale but little in consonance with the Government's announced intention to reduce the army to a minimum, the prospects of a heated debate in the Rigsdag are every day growing more certain as regards a carrying out of the governmental program. Whether or not new elections will take place in the spring is a question that the leading politicians are themselves unable to answer at this moment. The political pot is at the boiling-point and the whole country is in a waiting attitude.

Recent utterances by the Minister of Defense, M. Rasmussen, intended more for foreign ears than Danish, have nevertheless brought the question of disarmament once more very strongly to the fore. It is his intention, declared M. Rasmussen, to place the disarmament plan of the Government before the Folketing on the assembling of the Rigsdag, where he has the assurance that it will be accepted by that body. He feels, however, that it will not fare so well in the Landsting, and the most natural course would be, in his opinion, to take a popular vote. However, this will scarcely be possible since both the Conservative and the Left parties are against such a procedure.

"But what then?" M. Rasmussen asks and goes on to answer his own question: "In accordance with the constitution we cannot dissolve the Landsting, and the new elections to this body do not occur until 1928. We might dissolve the Folketing, and there might be some reason for this action as the election in 1924 did not turn on the disarmament question but the currency regulation. But even while we might have a majority in the present Folketing for disarmament, we might easily fail of a majority in the new election. If the Landsting will agree to a Folketing election that exclusively concerns the disarmament question we can have the election at once. But that is just what the Landsting will not do.

"The Radicals do not hide their wish for politics to remain in *status quo*, although I still believe that the political situation will be such later as to lead to a Folketing election in the spring. But remember, we are not simply going to carry through laws written by the Radicals. If it comes to a Folketing election, then as a matter of course the disarmament proposition will play a major part."

When he was asked about a former expression by the Minister of Defense that he would be indifferent to the attitude of foreign nations in the matter of the disarmament proposal, an expression that had found its way into the foreign press and been made the subject of ambassadorial reports, M. Rasmussen replied: "As far as the reports of the ambassadors to their home governments are concerned, I can only say that these show that the foreign conservative and the nationalistic circles naturally look upon the proposal in anything but a favorable light, while it is greeted with the more satisfaction and as a good example the further we turn to the Left. But all this we knew beforehand. The voices that have reached us from without have had neither a positive nor a negative effect on me.

"And let me repeat: I am indifferent to the attitude of foreign nations. For instance, if a general proposition comes from Geneva to maintain the *status quo* with regard to military preparations until a disarmament conference is called, such a call would be of great importance to us. But I don't look for such a call, and as far as I can see, neither in Geneva nor any other place has anything happened that operates against our disarmament policy."

"But is it not a fact," M. Rasmussen was asked, "that the situation in the Baltic has become more restless and Denmark's position as a consequence more precarious?" "Very well, let us speak plainly," was the quick answer. "You are thinking of the possibility of an English-Russian collision, with which the European press has busied itself. What will our attitude be in such a case when we have a defense organization? England can demand that we close the Sound and the Belts against the Russians. If we do this we are immediately in the fray as the allies of England. Or contrariwise, Russia can demand that we close these waters, in which case we will be placed in the Russian column.

"There is a third possibility, that we refuse to close the Sound and the Belts. In that case either party to the conflict would attend to the closing and this would result in the landing of foreign troops on Seeland and Fünen. Thus when we possess a military organization we are in duty bound to defend our neutrality and are at once drawn into the war.

"You ask if, in case of the absence of a military organization the situation would give cause for a race between England and Russia as to which will get there first? Yes, that is of course true enough. But remember, I have never said that disarmament would guarantee Denmark against becoming a theater of war. What I have said is that it will be much more dangerous for Denmark to be drawn into the war if we have a military organization than if we have not. The present military organization—that of 1922—is worse than none. It cannot defend us. It can only bring about unnecessary bloodshed.

"I repeat: Should it come to a collision between England and Russia in the Baltic a disarmed Denmark—and according to our proposal we will have no mines for placing in the Sound and the Belts—a disarmed Denmark, I say, will be in a much less dangerous position than a Denmark compelled to offer a hopeless defense of its neutrality."

"But do you not admit that the attempt itself, the will to defend independence has a moral and also a real political importance?" M. Rasmussen was asked. "No, I do not. And I will tell you why. I can best illustrate it with a concrete example. We have discussed an English-Russian conflict in the Baltic. On land we might be attacked on the south. According to our military law of 1922 we could place 60,000 men in the field there. But the experiences of the World War have taught us that for the defense of such a frontier 300,000 men are required for any length of time, and for a shorter period 150,000 men might answer the purpose. The 60,000 men we possess mean nothing, and would be swept away in no time.

"I honestly believe that we will gain the world's sympathy more readily by owning up to our military impotence. I believe further that in a given situation a help-

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less and disarmed Denmark would gain assistance quicker than a Denmark with a merely fictitious defense."

The Conservative press has not been slow to bring its attack to bear on the Minister of Defense, and both as regards the disarmament proposal and the possibility of a spring election, questions were asked of Premier Stauning as to the latter's views now that his colleague had expressed himself so positively. Whether or not the relations between the Social Democratic regime and the Radical Left would weather the crisis and the combination carry on for any length of time the arrangement that alone led to the victory of the Social Democratic Party in the last election is a matter concerning which all political parties in Denmark are in doubt.

Premier Stauning said that the difficulties continually placed by the Landsting in the way of a general election were evidently responsible for the remarks of his colleague, the Minister of Defense. But there could be no question at all, he declared, that the policy agreed to at the time of the forming of the present Cabinet would be maintained unchanged.

"As for the fate of the disarmament proposal," Premier Stauning added, "I am of the opinion that the discussions carried on in the League of Nations are bringing the question a step nearer an answer, and it follows as a matter of course that these discussions will exert their influence in our country and it is to be hoped also in the Landsting. I have not as yet given up the hope that the Left party out of regard for its voters will take part in solving the problem that of course belongs to the future."

A New Soviet Marriage Law

THE summary by D. Kursky, People's Commissar for Judicial Affairs, printed below, of the Soviet marriage law which is to supersede the law of 1918 was taken from *International Press Correspondence* for October 22.

In the first months of its existence, the Soviet power, by its decree on Divorce, on Civil Marriage, on Children, and on the Keeping of a Register of Births, Marriages, and Deaths, published on December 19 and 20, 1917, introduced far-reaching changes in the domain of legislation with regard to marriage and the family. As Comrade Lenin pointed out in 1919 in his speech at the conference of the working women of Moscow, civil law, even in the most progressive countries, has exploited the weaker position of woman particularly in the field of marriage law by not giving her equal rights but putting her at a disadvantage. The indissoluble legal marriage with unequal rights, which according to the arrangement of bourgeois lawyers represents principally a community of goods in which the husband alone has the right of guidance and disposal, i.e., in which he has the right to force on the woman his place of residence, nationality, and family name, the right to a decisive voice in the education of the children, etc.—this marriage, as well as the "religious sanctification" of this slavery, was abolished by revolutionary legislation.

The decrees mentioned as well as the law with regard to the registration of births, marriages, and deaths in 1918, which was entirely based on them, determine the fundamental attitude of the Soviet power as regards marriage and family law. The statute book of 1918 first of all deprived religious marriage of all legal significance and established civil marriage; it further established complete equality of rights of both parties to the marriage and of both parents, as well as the right of divorce in accordance with the will of one of the two partners, also the divisibility of goods, combined with mutual financial support. What is most important, it assured complete equality in the position of the children of a registered and of an actual marriage. This law created a whole system of legal relations and was in force for about seven years without any changes worth mentioning, with the exception of the simplification of some entries in the register of births, marriages, and deaths.

The draft of the new code of law regarding marriage, the family, and guardianship, worked out by the People's Commissar for Justice in accordance with the resolution passed at the last meeting of the Central Executive Committee, was previously sent out to the subordinate offices and dealt with in detail by the commissions of the Council of People's Commissars and by the Council of People's Commissars itself. Now that a number of changes have been made, it will be submitted to the next meeting of the Central Executive Committee.

The draft differs from the code of 1918 chiefly in its construction. Whereas the existing code concentrates attention in its very first paragraphs on the creation of organs for registration, in other words, on the formulation of the circumstances of marriage and the family, the present draft puts these formal factors in their proper place and concentrates attention on the material factors, i.e., on the laws which determine the rights and duties arising from the circumstances of marriage and the family, regardless of whether these relations have or have not been sanctioned by form (registered).

The bill attributes to the official formulations of marriage no other significance than that of a testification to a definite fact, in order to facilitate the proof in cases where rights have to be protected: for instance, when maintenance is demanded, when the right of inheritance has to be determined, etc. In this way the foundation of the previous code, according to which only civil marriages which are entered in the register establish rights and duties, has now become superfluous. In the present draft the equality of material rights and duties resulting from matrimonial relationship, independently of its registration, is perfectly clearly determined.

According to the bill "the registration of marriage is undertaken with the object of facilitating the protection of personal rights, the rights of property, and the interests of the parties to the marriage and the children." (Paragraph 1.) In a number of paragraphs it is pointed out that persons between whom a matrimonial relationship actually exists have the same rights as those whose marriage has been registered. The difference obviously exists that couples whose marriage is not registered must prove that they are living together in the marital relationship each time before the court or some other functionary of the government, whereas this is not the case for registered husbands and wives.

Either party to the marriage has still, as hitherto, the absolute right to divorce. In this respect, the bill simplifies the process of divorce in that it transfers it to the official registrar of births, marriages, and deaths, who is also intrusted with the registration of the marriage. In cases in which the divorce is undertaken at the instigation of one of the parties to the marriage, the mere notification of the completion of the divorce is substituted for the summonsing of both parties. In order to avoid the necessity of applying to the court or to the public notary to establish mutual understanding with regard to the consequences of the divorce in respect of the rights of possession and of the position of the children, the official registrar has been given the right to register the mutual agreement of the parties about these questions.

According to the existing law, marriage does not imply any community of ownership. In the construction of the proletarian state, this formula is inadequate. As matrimony is freed from any factor of compulsion, contracting marriage has no influence whatever on the independence of the parties as regards the right of possession. In this respect, understanding

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between the parties must be given the fullest scope possible. This idea is also expressed in Paragraph 10 of the bill, which gives the contracting parties the right to enter into any contract they like as regards their possessions, but under the condition that there should be no predetermined limitation of the rights of the woman or man, as this would not be legally binding.

Concerning property acquired by the couple in the course of their married life, the bill takes an exactly opposite point of view. Under the Soviet system, marriage represents in the first place a union of two workers, in which there is no possibility of dividing that which in this union is common property or of determining by whom it was earned and appropriated to the common use. It is therefore necessary from the standpoint of the law to recognize the equality of rights of each of the parties to the marriage to anything acquired by them in the period during which they lived together. Our legal practice established as early as in 1922 was that, even in cases where the work of one of the partners, usually the woman, is limited to the care of the family and the household, useful work has been performed of no less value than that of the other partner and that, in case of a divorce, the partner in question has therefore a full claim to receive his or her share. This corresponds exactly with the customs and sense of justice of the peasantry, as it is expressed in those paragraphs of the code that deal with the land, when family property has to be divided. This is why in Paragraph 1 of the bill, community of ownership is provided for as regards all property resulting from living together.

In determining the judicial relations between children and parents, the bill maintains the fundamental features of the code of 1918. In the first place it emphasizes in full measure the significance of actual facts in determining the rights of the child in an unregistered marriage, as well as complete freedom of proof for establishing the facts. The same applies to the interests of the child, which must be the first consideration, always coming before the interests and wishes of the parents. The so-called parental rights are, according to the draft, by no means rights over the child, but rights in the name of the child, for the protection of the child. This principle is maintained in every paragraph dealing with parental rights.

The law at present in force does not recognize adoption. (Paragraph 183.) This is explained by the desire to avoid increasing the number of persons who, according to an earlier decree on the abolition of the right of inheritance, would have a claim to a portion of land for cultivation, by making adoption possible; further the wish to prevent minors being exploited under the pretext of adoption and finally by the intention of applying in full measure the possibility of communal education and guardianship.

At the present time, conditions have considerably changed. On the one hand, the work of the organization for the care and guardianship of children shows that every means which contributes to the welfare of children should be made use of, including that of placing them in families. On the other hand, a large number of people have quite conscientiously declared that they wish to take children into their families, a desire which there is no reason to oppose. Finally the custom is widespread among peasants of taking children into their family in a way that is almost identical with adoption. The bill therefore provides that the question of adoption shall be decided from case to case by the authorities responsible for guardianship, and that anyone who has the right to be a guardian shall also have the right to adopt.

At the same time, the bill puts a limit on the number of persons who have a claim to maintenance and on their part are obliged to give it, by restricting these rights and duties to parents and children only. The regulations in the previous code, according to which needy relatives in a direct and

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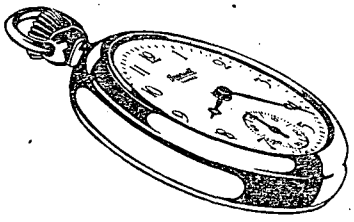

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Contributors to This Issue

H. L. SCAIFE is a Washington lawyer, formerly a captain in the Army Air Service and later connected with the United States Department of Justice. He has given important testimony in the air inquiries before Congress.

WILLIAM BOARDMAN KNOX has been for two years an editor of the Los Angeles *Illustrated Daily News*.

RUBY A. BLACK is one of the editors of *Equal Rights*.

JAMES N. ROSENBERG is a New York lawyer who has written about the World Court for the *Columbia Law Review*.

ROBERT DELL is *The Nation's* correspondent in Paris.

JULIUS MORITZEN is editorial director of the Scandinavian Authors' Bureau in America.

EDWIN MUIR last spring published a book, "First Poems."

SINCLAIR LEWIS, author of "Main Street," "Babbitt," and "Arrowsmith," is now in Bermuda writing a play.

ALLEN TATE has been editor of the *Fugitive*.

FRANK ERNEST HILL is on the editorial staff of Longmans, Green and Co.

GEORGE GENZMER is a member of the English department of Columbia University.

BENJAMIN STOLBERG is a frequent contributor to *The Nation* on labor subjects.

LUDWIG LEWISOHN'S new book, "Israel," has just been published.

WOODBRIDGE RILEY is professor of philosophy at Vassar.

FRANKLIN H. GIDDINGS is professor of sociology and history of civilization at Columbia University.

CARL VAN DOREN, a contributing editor of *The Nation*, has written a new volume of fiction, "Other Provinces."

DONALD DOUGLAS is the author of "The Grand Inquisitor."

HAROLD J. LASKI, formerly of the Harvard faculty, is on the teaching staff of the London School of Economics.

LEWIS S. GANNETT, associate editor of *The Nation*, is now on his way to China.

HENRY RAYMOND MUSSEY is professor of economics at Wellesley College.

M. W. ROYSE wrote two articles, The Next War in the Air, for *The Nation* in May, 1923.

WILLIAM MACDONALD has recently been appointed lecturer in American history at Yale University.

R. F. DIBBLE is the author of "Strenuous Americans" and "John L. Sullivan: An Intimate Narrative."

DELOS F. WILCOX is the leading authority on public utilities, author of "The American City" and other books.

LORINE PRUETTE is the author of "Women and Leisure."

ANGUS BURRELL is joint author with Dorothy Brewster of "Dead Reckonings in Fiction."

THERESA WOLFSON is the author of a forthcoming book, "Organizing Women Workers."

B. H. HAGGIN is a teacher and writer on musical subjects for various periodicals.

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Stephen Hudson*

By EDWIN MUIR

IF one were asked what distinguishes Mr. Stephen Hudson's contribution to the literature of our age the reply might be that in his grasp of the motives of action he shows a more complete mastery and a greater sincerity than anyone else. The qualities in which he is peculiarly interested are those which will have a decisive effect on the destiny of a character: the qualities which betray Richard Kurt into his disastrous first marriage and the twenty years which follow it; the qualities which make Tony an adventurer and take him with incorrigible ease into scrapes and out of them, until at last he is tragically caught; the qualities which make Elinor's course so triumphant, so hateful, so sure, and so limited. Action is never separated in his novels, as it is in so many, from its results. At the moment of passion or of error his mind leaps forward to face the inevitable consequences; he apprehends immediately the change which a single action will impose upon future years; and it is this which makes his novels, with their bareness of outline, so dramatic. The simplest incidents he records are significant, for they carry on their surface the whole weight of a future. And as the actions of his characters imply the destiny which they are working out, so they presuppose all the qualities which have gone to produce them: the ruling passions which have in the past been expressed in actions of a like nature and thus have formed and consolidated a character, good or bad, weak or strong. Cause and effect are inescapable; every action, every impulse, has its relation; and it is Mr. Hudson's distinction to have apprehended this more completely and faced it more courageously than any other writer of our time. He has seen intensely this truth of necessity, psychological law, destiny, call it what we may; and, holding it, he has given to the characters he describes and the events he records a rare unconditionality, so that we feel they could be nothing but what they are, and that qualities no less than events are inexorable.

This sense of necessity, of cause and effect, is at the center of Mr. Hudson's vision of life, and so he has rejected more and more everything which is irrelevant to it. Accordingly the people he portrays are not so much characters as essences of characters. When he describes Elinor and Tony he sets down nothing but the typical, nothing but those idiosyncrasies and acts which reveal the essential ego. He does this completely. Tony is self-subsistent not only in his ruling passions but in his philosophy, which is an adumbration of these, and as inexorably necessitated. His character is consequently irrevocable, an organism operating by its own laws, which neither our love nor our importunity nor our opposition can essentially change. At the center of Elinor, in the same way, is a perfectly naive egotism; but it is reinforced through the personality which by an inscrutable process it builds round itself to be its expression and its defense; so that even Elinor's thoughts are a part of her egotism, and she is incapable of thinking against herself. Where other writers convince us of the reality of their imaginary world by the employment of light and shade, by making their characters act in apparent contradiction to themselves, but in a way to bring us back once more to themselves, Mr. Hudson convinces us by showing us in their passions, their actions, and their thoughts the same motive power. Thus every expression, however noble, of a character of his will be determined by the limitations of that character. Even the virtues, to which people not necessarily sentimental sometimes attribute an infinite effectuality, are in his novels effectual only to an extent determined by the moral complexion of the people who exercise them. So when Tony is actuated by affection for Richard his measures are of no avail for the decisive reason that the natures and the needs of the two brothers are different. He so purely acts out of himself and of all he has been that there is more of himself than of virtue in his virtues. All Mr. Hudson's characters are like Tony in this. The gallery of characters in "Myrtle" speak straight out of themselves, and their utterance is limited by a complete, unconscious, self-subsisting attitude to the world. The paucity of external characterization only makes the inner characterization more definite. Here as elsewhere Mr. Hudson's imagination is occupied severely with essentials.

And for Mr. Hudson the essential things are the motives, the passions whose results, happy or disastrous, have an abiding effect. He writes about passions and sentiments only when they are motives, or in so far as they are motives. Of the passions in themselves in their richness and diversity he has little to tell us, and although he does not avoid them he indicates them briefly. He is so concentrated on their effects, on what they will bring rather than on what at the moment they present, that he selects from among their manifestations only those (and they are of course the essential ones) which will influence a whole tract of life, both essentially and externally. It is this that gives his novels their extraordinary economy and justifies that economy. It is this that enables him to produce in "Elinor Colhouse" an atmosphere of overhanging disaster, so that we feel in reading the book the shadow of the twenty years of suffering of which the incident it describes was to be the cause; for it is the lack of detailed attention to the passion itself, the nakedness with which the motives are revealed, that by such simple means achieves this intensity. Everything in these novels is oriented toward something which has not yet emerged, and has the atmosphere as much of a prelude as of a statement. Life is not moving, as we normally see it, toward no end that we can foretell; it is moving rather toward a point which is the point of reference of Mr. Hudson's imagination, and is outside and beyond the part of experience he is treating.

But if the feeling of consequences, of the certainties of the future, is by these indirect means given so strongly in Mr. Hudson's novels, the sense of the past, of causes, is given no less strongly and by means as indirect. In "Prince Hempseed" he began to exploit the resources of the first person singular in narrative, and in "Tony" and "Myrtle" he developed them. The beauty of the first person singular is that, when it is used as it should be, it implies at every moment, transpiring through the simplest statements, a whole background, a whole life; and it does this the more perfectly the more apparently unpremeditated the narrative, the less the narrator's eye is fixed on one particular

* This is the sixth of a series of articles by Mr. Muir dealing with those younger authors of today who are in the process of becoming established. Essays have appeared on D. H. Lawrence, Edith Sitwell, Lytton Strachey, T. S. Eliot, and James Joyce.

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episode, the less obviously interesting, even, the events are in themselves. For when the events are so interesting in themselves that they occupy the center of our attention the background—all the narrator has felt or seen—falls away; he becomes mere function, a narrator and nothing more, and his personality, his very existence, becomes in a sense irrelevant, for deprived of them he is a more perfect means for his immediate purpose. He has no existence except as the recorder of or the participator in the action he describes, and it is by courtesy of it that he exists, and not of his own right. He has no past to throw its associations over the event, and therefore no personality, for personality can be rendered only in its growth or in its constancy, to show either of which a direct or indirect reference back is necessary. But having none of these things this questionable character has no serious artistic justification. When, to take a notorious example, Stevenson used the first person singular in "Treasure Island," it was merely to make us believe more readily in the story by substituting for himself a respectable writer living at the end of Victoria's reign, a boy who was on the spot and in the period. Tricks such as these are puerile, and if the reader accepts them as part of a game of make-believe between himself and the writer he has to accept along with them a certain meaninglessness and triviality of enjoyment. But this is only one of the various false ways of exploiting the first person. The ordinary autobiographical novelist exploits it generally for its looseness, and to unburden his views on life upon us rather than upon that life itself. Mr. Hudson commits none of these errors. The form once chosen, he is almost unerring in his use of it. The personal monologue in which "Prince Hempseed," "Tony," and "Myrtle" are written hardly ever falls into the set narrative piece which so readily arouses our suspicions; the events flow on, some of them apparently trivial, some obviously important; and the reasons why they are memorable, implicit in the emphasis with which they are set down, are never explicitly or baldly stated. This monologue is neither mere narrative nor a mere outpouring of memories bound together by threads of association. It is rather a form in which the utterance of the soliloquist is heightened, his uncritical memory clarified and crystallized, his everyday personality replaced by the more essential personality which self-knowledge reveals. This newly awakened personality it is which tells us of the other personality which existed before as its shadow, seeing where it acted rightly and where wrongly, and why. It gives distance to the presentation, for looking back at what it once seemed to be it is, as it were, contemplating a different character. The existence of this second more essential personality is the complete artistic justification of Mr. Hudson's use of the first person; for through it experience is not merely repeated, as it is in the generality of autobiographical novels; it is assayed.

But if the assaying of experience is the chief function performed by the monologue as Mr. Hudson uses it, it has many other advantages. By means of it he provides that background to experience without which there can be no genuine art, and provides it indirectly, as the background in a work of art should be provided, to color but not obscure or retard the action. Using it, he secures his effects by the simplest means. When, for instance, one of his monologists says in "Myrtle," "They were all going down to the sea-side that August," there is a strange beauty of implied association in the banal statement; we are led to add to it the necromancy of several memories. For those who can apprehend them Mr. Hudson's work is full of effects such as these. It is a characteristic of his art that in an apparently banal scene he can give us something which if it is not poetry opens a window on poetry. He does this not through any art of suggestion but by being so exact and clear that our imagination seizes the scene as if it were a concrete and inexplicable object, and is impelled to act upon it as it acts on reality.

This condensed, eliminative, almost taciturn art has its limitations; but a limitation in a work is only bad when it is arbitrary, and is necessitated by nothing in the character of the positive vision. Mr. Hudson's limitations are definite, but they are necessitated by his vision and his artistic purpose. They arise from the fact that being concerned with essentials, stating nakedly the motives of his characters, he has to a great extent to ignore that rich variety of manifestation which the motives create to be their disguise as much as their expression. Certain writers, perhaps the majority, have concerned themselves in detail with the disguises of the motives; have shown them tragically as illusion and in comedy as inconsistency, cant, deceit; but Mr. Hudson is so impatient of them that he takes us immediately to what underlies them, the particular object which by their means the ego wishes to secure. This limits his field of experience, but the limitation is organic, it is a concentration; so that even when the chief human passions are not exhaustively described they are as actually present in our minds as if they were. We feel them all the more strongly, perhaps, because they are assumed; for assumptions are more incontestable than statements; and the true value of economy in art is that, avoiding detailed description, it can convey intensely, and thus make it impossible for us to escape from, a solid mass of assumption. Mr. Hudson's work belongs to this rare and economical order; it has clarity, but it has also depth; and although, in the nature of things, it cannot yet be definitely judged, its high qualities are more incontestable than those of any other novelist of our time.

Can an Artist Live in America?*

By SINCLAIR LEWIS

THIS is an interesting and entirely valueless question. It is not only interesting but very pleasant, because it is so easy to prove with equal completeness that an artist can, can not, should, should not, must, must not, live in America, Czecho-Slovakia, Paris, Oxford, or any other place whatever.

One slight difficulty in being very eloquent on the subject is the confusion as to what is indicated by *artist*, *live*, and *America*. What does "artist" mean? Does it include writers? Or is it confined to cartoonists, tea-room proprietors, and fat tenors? And what is an artistic writer?

What is "living in America"? Does a person who spends only three months out of the year in the United States, but that three months very keenly and eagerly, and

* This is the seventh of a series of articles by American writers of the first rank, answering in the light of their personal experience the question: Can a literary artist function freely in the United States? Articles by Willa Cather and Floyd Dell will follow. Mary Austin, Theodore Dreiser, Sherwood Anderson, Zona Gale, Edgar Lee Masters, and Ludwig Lewisohn have hitherto contributed.

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then goes abroad to digest those impressions—does he really live in America or in Europe?

And to which America does the question refer? Obviously the more sacrosanct parts of Boston are infinitely more like London than they are like North Dakota, Mississippi, or Pittsburgh.

But anyway I shall prove that an artist can live in America by this random list of writers who remain in the United States all the time or nearly all the time: Hergesheimer, Cabell, Sandburg, Vachel Lindsay, O'Neill, Van Vechten, Elinor Wylie, Sherwood Anderson, Dreiser, Tarkington, Katharine Gerould, Robert Frost, Edward Arlington Robinson, William Ellery Leonard, Zona Gale, Louis Bromfield, Montague Glass, Thyra Winslow, Ring Lardner, George Ade, Edgar Lee Masters.

This list proves, not by fantastic theorizing as to whether they can remain here but by the fact that they do remain here—it proves that distinguished artists not only stay in America but delight to do so, and that——

It does not! It doesn't prove anything whatever!

Suppose some one gave Joseph Hergesheimer a Tudor manor house in Devon, with the rights of the lord of the manor, membership in the Garrick and Athenaeum clubs, twenty thousand pounds a year, on condition that he spend not more than six weeks a year in America. Suppose Mrs. Gerould were offered the editorship of the London *Spectator*, with a noble salary and a guaranty that she should have three days a week free for her private writing.

Suppose Schnitzler wrote to Van Vechten that he had just bought an imperial castle in the Tyrol, and would Carl please come and stay a year or two? Just how long would Hergesheimer, Mrs. Gerould, and Van Vechten remain here to prove whatever they do prove?

I dare the *Spectator* and Schnitzler to make these offers and find out; and as for Hergesheimer, I invite all the literary millionaires in England to give him not one but sixteen manor houses, lovely ones, with rose gardens, all over England.

By another still more random list I shall now prove that an artist can not and should not remain in America. These are people who have spent most or all of recent years abroad:

Edith Wharton, Edna Millay, Lincoln Steffens, Max Eastman, Glenway Westcott, Paul Rosenfeld, Scott Fitzgerald, Francis Hackett, Cuthbert Wright, Djuna Barnes, Struthers Burt, Donn Byrne, Ludwig Lewisohn, Sinclair Lewis, Louis Untermeyer, W. E. Woodward, Claude Washburn, Herman Scheffauer, Ezra Pound, John Cournos, Logan Pearsall Smith, Homer Croy, William Carlos Williams.

This is an especially good list, because by it you can prove not only that the really original and vital creative writer must remain abroad but also that some of the American writers who remain abroad are absolute duds. And best of all, it doesn't really prove either, because Edith Wharton would have written in approximately the same manner on North Washington Square as she now does in Hyères; and Ludwig Lewisohn when I met him in Vienna seemed to me exactly like Ludwig in New York.

And Henry James (his name must, whatever else you say, enter any discussion of this matter)—Henry James in a proper Back Bay residence, with a month annually in Bar Harbor, would have woven about himself precisely the same unreal environment as he wove in London—in *his* London—that mirage London composed of viscountesses, the maiden aunts of vicars, and the second cousins of Cambridge dons; a London devoid of cigar salesmen, mail carriers, Wesleyan M.P.'s, and socialistic journalists.

Then there are the people who go abroad frequently but never stay long—such writers as Mencken, Nathan, Marc Connolly, Donald Ogden Stewart, Wilbur Daniel Steele, Fannie Hurst, Edna Ferber, Willa Cather, Dorothy Canfield, Hendrik van Loon, Laurence Stallings, Mary Heaton Vorse, Tom and Peggy Boyd, Allan Updegraff.

What this list proves, I do not know. The reason I don't know is that I can't decide on which horn of this controversy I am. If I did know, I'd very soon find out and most reasonably explain it.

If in this contribution to a query which is so greatly to affect the poor little shrinking naked souls of our creative artists I seem to be flippant, I can only explain indignantly that I am trying to be flippant. The question seems to me fully as important as a Tennessee judge's opinion of biology, and as stirring as that debate of our childhood: "Should the boy go to a large college or a small one?"

Nobody ever had the nerve to rise, remark "It depends on the boy and it depends on the college and it doesn't make much difference anyway," and then firmly sit down.

It is fortunate that no one ever did that, because it would have been flippant, it would have been lacking in the earnestness which should always robe such debates, and it would have killed the topic forever.

Stay home? Why certainly—if you can afford to, if you like to, and if you can find a reliable bootlegger.

Stay abroad? Certainly—if you can make a living there, if you can raise the fare, and if you can get along without corn on cob.

Do what you want to . . . if you can!

Death of Little Boys

By ALLEN TATE

When little boys grown patient at last, weary,
Surrender their eyes immeasurably to the night,
The event will rage terrific as the sea;
Their bodies fill a crumbling room with light. . . .

Then you will touch at the bedside, torn in two,
Gold curls now deftly intricate with gray
As the window-pane extends a fear to you
From one peeled aster drenched with the wind all day.

And over his chest the covers, in an ultimate dream,
Will mount to the teeth, ascend the eyes, press back
The locks—while round his sturdy belly gleam
The suspended breaths, white spars above his wreck:

Till all the guests, come in to look, turn down
Their palms; and delirium assails the cliff
Of Bedlam where you ponder, and your quiet town
Reels like a sailor drunk in a rotten skiff. . . .

The bleak sunshine shrieks its chipped music then
Out to the milkweed amid the fields of wheat.
There is a calm for you in the street where men
Unroll the chill precision of moving feet.

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The Friend

By FRANK ERNEST HILL

You asked of this one and of that
About him; I, who did not ask,
Adventurously with him sat,
Watching him word by word unmask.

One fed you pale uncertainty
Of family, of clothes, of morals;
Another breathed suspicion he
Had struck the spark for certain quarrels.

But I who walked beside him knew
In speech and act the flags of blood;
We shared in moods almost as two
Who eat together of one food.

Mind touching mind, heart meeting heart,
I have found treasure in this man;
Now you who feared to risk must start,
If you will start, where I began.

First Glance

"THE Life and Letters of John Burroughs," by Clara Barrus (Houghton Mifflin, 2 vols.: $12.50), is the longest book that will ever be written upon its subject, and the fact that it tells everything is only one of the reasons for this. Another reason is that Dr. Barrus, whether or not she knows it, has demonstrated very clearly that there are limits to the capacity of Burroughs to be interesting. Without going out of her way—for nothing was out of her way—she has marked those limits with a fatal exactitude; so that in the present work we know we have all that we want of Burroughs and a great deal more. What we want of him is certainly not unimportant, and Dr. Barrus gives us that part more clearly than it has ever been given. The rest is official biography.

The best of Burroughs was his youth, just as his best books are the earliest. The story of this youth as Dr. Barrus tells it is both convincing and interesting—particularly after Walt Whitman comes upon the scene. For in even a greater degree than Emerson made Whitman—and that degree is greater than is commonly recognized—Whitman made Burroughs. Emerson, too, was a powerful influence upon the young school-teacher and government clerk, as he was upon every impressionable mind in his day; but Burroughs had moments later on when he could doubt Emerson, whereas he never ceased to worship the "half thrush, half alligator" whom Emerson had always a few misgivings about. He went to Washington at twenty-six with a promising but a raw-boned mind; he came away at thirty-five, having written two books and having twenty-five more to write, with that mind already possessed of whatever form and warmth it was eventually to reveal. In his old age he claimed to have had at best "a humdrum life, with a few honest books to its credit." The humdrum parts were before and after Whitman; the few good books—all were honest—were those, I think, which Burroughs wrote during the early and middle periods of his career when under the shining sun of Whitman his ideas and emotions ran perfectly together. The tale of the two men at Washington would make a valuable book in itself, telling as it would how they met and walked and talked; how Burroughs wrote excitedly to his uncomprehending wife and to all his friends about this incredible creature whom he could not keep out of his thoughts; how he furnished the gray-brown bird for "When Lilacs Last in the Door-Yard Bloom'd"; how he wrote at least half of a book in celebration of Whitman, and how Whitman wrote the other half; and how he entered in his notebook the following unsurpassable sketch of his friend's face:

> Notwithstanding the beauty and expressiveness of his eyes, I occasionally see something in them as he bends them upon me that almost makes me draw back. I cannot explain it—whether it is more, or less, than human. It is as if the earth looked at me—dumb, yearning, relentless, immodest, unhuman. If the impersonal elements and forces were concentrated in an eye, that would be it. It is not piercing, but absorbing and devouring—the pupil expanded, the lid slightly drooping, and the eye set and fixed.

Perhaps it is as this sort of critic that Burroughs shows to the best advantage in Dr. Barrus's book. There is [illegible] other passage on the aging Emerson's "irrelevant [illegible] pitiful" lectures, and there are not a few illuminat[illegible] remarks upon Thoreau. Burroughs within his limits was an excellent critic, as within his limits he was one of the purest of writers about nature. Outside his limits he was often dull or absurd; and most of the second volume here, made up as it is largely from the later Journal, will be worth while to none but worshipers. Fortunately for the biographer there seem to be thousands of those.

MARK VAN DOREN

Mr. Mencken Triumphant

Americana 1925. Edited by H. L. Mencken. Alfred A. Knopf. $2.50. *Prejudices: Fourth Series.* By H. L. Mencken. Alfred A. Knopf. $2.50. *Gulliver's Travels.* By Jonathan Swift. With an introduction by H. L. Mencken. Alfred A. Knopf. $4. *The Man Mencken.* By Isaac Goldberg. Simon and Schuster. $4. *H. L. Mencken.* By Ernest Boyd. Robert M. McBride and Company. $1.

THESE five books mark another turning-point in Mr. Mencken's career. Far behind him are the days when he was the half-fabulous Antichrist of Baltimore whose name, it is said, was used by exasperated mothers to cow naughty children; when he was the editor and literary critic of an obscure and dubious magazine and was reputed to be waging a continuous warfare against all that was decent and of good report in American literature, morals, and scholarship. He is no longer regarded, in literate society, as a paid—or even as a self-appointed—agent of the Wilhelmstrasse. Professorial book reviewers do not find it as remunerative and as safe as of yore to assault him with sarcasm, innuendo, and academic billingsgate. That game, too, is played out. After weathering years of neglect, of abuse, and finally of indiscriminate praise, Mr. Mencken has at last emerged from the ruck of contemporary journalism and literature as a writer of unmistakable distinction and importance.

He is a difficult subject for the critic. To begin with, he either powerfully attracts or violently repels. The range, moreover, of his interests and activities is such that no complete view of him can be achieved within the limits of the usual review. Besides being an active journalist and magazine editor, Mr. Mencken is a literary critic of great influence and a writer

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on a dozen or more different subjects—literary history, aesthetics, language, music, medicine, theology, military strategy, social psychology, government, philosophy, morals, law, and feminism. On every subject he touches he has something provocative to say. But the critic must not only grapple with a man whose interests are almost as varied as American life itself and whose ideas and opinions march in impudent processions across his pages; he has also to reckon with a comic poet and satirist whose unfailing verve, velocity, and comic force, fed by his immense knowledge of life and his torrential wealth of language, make him the peer of such satiric philosophers as Lucian, Rabelais, Swift, Voltaire, and Heine. It is little wonder that criticism finds it hard to treat him adequately. Such critics as Newton Arvin, Vincent O'Sullivan, Burton Rascoe, Carl Van Doren, and Edmund Wilson have written of him with understanding and sympathy. Now Mr. Boyd and Mr. Goldberg come forward with studies of greater scope and usefulness.

Mr. Boyd's volume—the fourth in the Modern American Writers Series—is a compact, lucid, well-informed exposition, often in the subject's own words, of the man, the philosopher, and the critic. As criticism it reveals neatly both the strength and the weakness of Mr. Mencken's doctrines. If to some readers its elaborate demonstration that Mr. Mencken is an American seems about as necessary as detailed proofs that Paul von Hindenburg is a German, to other readers the fact may perhaps be news. By skilful use, however, of example and quotation Mr. Boyd shows that Mr. Mencken's allegedly poisonous and subversive ideas are simply the ideas of Jefferson, Emerson, Thoreau, Lincoln, Whitman, and other men whose portraits hang on the walls of our public and college libraries and whose writings—to our loss—remain undisturbed on the shelves.

Mr. Goldberg's biographical study is entirely different in plan and scale. The author has worked with a scholar's love for facts and an artist's eye for their composition. Though the book runs to nearly 400 pages it is interesting from end to end, and—barring a few paragraphs of facetiousness and a few that approach the ecstatic—it is an excellent performance. Mr. Mencken's ancestry and his formative period are presented with an abundance of exact and vivid detail. The book is, indeed, crammed and stuffed with interesting, significant, amusing, charming facts. Many are, of course, extracted from Mr. Mencken's numerous autobiographical passages, which Mr. Goldberg has evidently collected with loving care and subjected to an intelligent critical scrutiny; but many more the biographer dug up for himself. Mr. Mencken's newspaper and magazine career is likewise followed in detail, and all his important work receives a conscientious appraisal that also considers the judgments of previous critics. Mr. Mencken is frequently the speaker, as in Mr. Boyd's essay, and an appendix of eighty pages reprints specimens of his early verse, short-stories, and fables. One of the most curious things in the book is the story of how Theodore Dreiser procured Mr. Mencken's appointment in 1908 as literary critic of the *Smart Set*. When Mr. Mencken published his *Smart Set* valedictory in December, 1923, he was unaware of Dreiser's part in the affair.

The illustrations add life to the text: portraits of distinguished forebears—Dr. Otto Mencken, Dr. Johann Burchard Mencken, who in 1715 published a small volume of "Declamationes de Charlataneria Eruditorum," Dr. Lüder Mencken; a chart of the variations in the Mencken coat-of-arms; interior and exterior views of the family mansion in Baltimore; two boyish pencil sketches; "an unnamed Salon Piece composed about 1900"; a picture of the old saloon behind the Baltimore *Sun* office; a facsimile of some specimens of the Free Lance column; and—of course—numerous photographs of the hero from the age of six months to forty-five. The McKee Barclay cartoon of the "subconscious Mencken" is also included—a caricature more revelatory than any photograph. It is a fascinating, kaleidoscopic book, in the making of which scholarship collaborated with gusto.

The gradual change in Mr. Mencken's chief interests, the significance of which he himself has pointed out, is clearly visible in "Prejudices: Fourth Series." Ideas are now his principal theme; specific men and books are in the background. Like its predecessors, the fourth "Prejudices" is a miscellany of matter salvaged from the periodicals, and, taken as a whole, it is quite the best of the series. It contains less padding than any of the others and a larger proportion of excellent work. The macabre vision of the life and destiny of New York City and the grotesque hyperbole and wild eloquence masking the fundamental seriousness of The Husbandman are in the Menckenian grand manner; the essays on the American Tradition and on the American Novel are also noteworthy. The introduction to "Gulliver's Travels," the two-hundredth anniversary of whose publication falls next year, is brief but characteristic.

"Americana 1925" is a chapter in that colossal "Geschichte der Menschlichen Dummheit" which Carlyle's terrible humor once conceived. None of Mr. Mencken's books—not even the "American Language"—has more of Mr. Mencken's peculiar quality. The zealous scholar, the relentless satirist, the gargantuan humorist, the lyrical prophet are all at work. The book will doubtless be read chiefly for its humor, for it is excruciatingly funny; but Mr. Mencken himself regards it in his preface as a source-book for the study of American life—and as such, too, one can hardly read it without recognizing its authenticity. But although it is both humor and sociology, it is something more. On the technical side it is simply an enormous expansion of the poetic prose paragraphs into which Mr. Mencken has poured so much of his characteristic thought and imagery. There are in it the same cataloguing style, the same love of proper names, the same lyrical fervor. It is the work of an inverted poet, inspired not by the contemplation of beauty and truth but by the contemplation of squalor and folly. Rising to the height of his great theme, the connoisseur of human depravity becomes for the moment a visionary poet and prophet.

In his vision the familiar America of other men becomes a vast, mysterious continent, as strange and perilous to civilized men as the remote reaches of Tibet or Siberia. The swarming population, as incomprehensible as the fabulous peoples in books of imaginary voyages, is perpetually engaged in all manner of incredible barbarities, follies, stupidities, cruelties, blasphemies—an unending spectacle of a life as terrible as it is futile. Individually each incident is trivial or even ludicrous; in the aggregate they become a gigantic panorama, at once lurid and somber, of the pride, stupidity, and folly of mankind. The public will probably take it for a piece of journalistic smart-alecry; but it is the work of a profound imagination, looking with amusement and dismay upon the vanity of all life.

GEORGE GENZMER

Father and Son

The History of the Standard Oil Company. By Ida M. Tarbell. The Macmillan Company. New edition. Two volumes. $7.50

Employees' Representation in Steel Works. By Ben M. Selekman. Russell Sage Foundation.

Employees' Representation in Coal Mines. By Ben M. Selekman and Mary Van Kleeck. Russell Sage Foundation.

NOW it can be told even better than it could twenty-five years ago. The Standard Oil Company, under the elder Rockefeller, represented "a living purpose," administratively almost perfect and morally absolutely impervious.

These two volumes are still the master-work of American

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muckraking. Miss Tarbell's research, unlike Upton Sinclair's recent performances, is as hole-proof as it is fool-proof, and accordingly she does not passionately throw mud but evenly sprays it on her victim. I understand that in her third volume, announced for next year, she means to whitewash the ogre. If so, she must have infinite patience, for it will take innumerable coats.

But the very perfection of Miss Tarbell's indictment shows the weakness of muckraking as an instrument of lasting censure. The villain escaped her. She does her best to show that Mr. Rockefeller is beyond good and evil, yet she asks one to despise him on moral grounds. She brings out his almost insanely courageous knowledge of what he wanted, and then implies that he is a bit of a coward because he lied (as attested in black and white) before two investigating committees. He is "a dreamer," she says, really a lyrical poet in industrial empire building; then she subpoenas him for infringing the Sherman Anti-Trust Law. It cannot be done that way. All Miss Tarbell really shows is that Mr. Rockefeller was the greatest privateer in the history of American capitalism, compared to whom the most gifted buccaneers, from Gould I to Morgan II, were mere amateurs.

Of course Miss Tarbell *proves* her specific contentions up to the hilt of her paper knife. She proves incontrovertibly, unlibelously, ultra-logically—by congressional, statistical, legal, academic, journalistic, telegraphic, epistolary, and other mutually attestative appendices and documentations—that the Standard was built, aside from legitimate efficiency, by criminal conspiracy and incredible ruthlessness, and with that uncanny shrewdness which makes moral idiocy sinister. She proved it all so well that the only way the omnipotent Standard could meet her first attack was by buying it out of circulation to the great delight of the booksellers.

She shows how Mr. Rockefeller first cornered his home market in Cleveland; how he illegally annoyed, overtly browbeat, and secretly knifed the other refiners. She proves again and again how he "contrived" to obtain illegal rebates from the railroads, finally getting a "rake-off" even on his competitors' shipments. He maneuvered favorable "drawbacks," he created fictitious "companies," he manipulated dummy directors with a phenomenal insight into the perverse shifts of competitive anarchy.

He undercut, he outbargained, he was a consummate borrower. He extracted the last drop of oil from the daily sweepings of his refineries; he saved the oil which others let run into the ground; he sold all the junk. He made his own barrels; and when the barrels rolled out of the industry he built his own straight pipe lines. He dismantled every bit of idle investment as quickly as he improved every bit of working machinery. Long before the day of the Chamber of Commerce he had a research and publicity bureau which really studied the international oil supply and pushed the international market. He unerringly picked the right men. He "watched and saved and contrived" and connived, and prevaricated about his business when he was forced to speak of it at all. And when the Standard Oil trust was finally "broken up" he simply divided his 256,854 *shares* into so many *stock certificates* in the twenty daughter companies—and turned over "the assignment of certificate, a properly framed and numbered document . . . to the liquidating trustees."

All this Miss Tarbell proves to the satisfaction of the most meticulous Ph.D. But as a muckraker she commits a fatal error when she quasi-illustrates her evidence with photographs of Mr. Rockefeller. A square, small, thin mask—with features at once fugitive and incisive, which give the face a profound secretiveness. A mere stencil-cut of a mouth. A sharp little tilted nose, with nostrils which seem to sniff eagerly and nervously even in print. A hard, jesuitical chinlet which retreats into the collar and belies the silly notion that "strong" faces must sport heavy jaws. The main thing are the eyes; wide apart, small, absolutely calm, half-hidden under onion-skin lids, of a dull gray, they are turned up and in with a cold, fanatic, pitiless stare, without a trace of humor or doubt or charm. No. This man was never dishonest with himself. He did what he did because he could do no otherwise. He expressed the genius of the jungle period in modern industrialism. And he did it with the emotional ultimateness of the tiger. Fake was never in him. His Baptist God was so simple-minded because he could rely on himself. Even his philanthropies, which are usually the last refuge of fakers, are genuine. The Rockefeller Foundation, which is entirely his idea, is at the unstipulated service of every race. And, most likely, his compulsion neurosis of presenting shining dimes to honest-faced caddies and cops is based on the real belief that he made his billion in much the same homely fashion. Possibly some future and fairer historian may find that his works represented an era of necessary evil.

Just as the Standard Oil Company is the child of the elder Rockefeller so the Rockefeller Plan of company unionism is the child of the younger Rockefeller. The main purpose of the plan is to provide an "efficient method whereby the petty frictions of daily work might be dealt with promptly and justly." These "petty frictions," Mr. Rockefeller adds, are at the basis of our industrial maladjustment. The plan grew out of Mr. Rockefeller's genuine disturbance over the Ludlow massacre of men, women, and children in his Colorado coal properties in 1913. It is a very typical "employees'-representation" scheme, which he calls a "republic of labor," with all the paraphernalia of company-union franchise and "democracy."

The plan of the younger Rockefeller also found a contemporary analyst in Mr. Selekman of the Russell Sage Foundation. His two volumes (in one of which Miss Van Kleeck collaborated with him) are models of descriptive research. The foundation, of course, never muckrakes. Indeed it refrains from passing even a posteriori judgments, no matter how legitimately they may follow from material gathered in safe and sane belatedness. As it sits on the economic fence it leans backward with the somewhat officious anxiety of professional social research. With a fine show of fairness, which curiously savors of timidity, the foundation showed Mr. Rockefeller Mr. Selekman's excellent studies, which suggested by mere objective statement that the plan is not much of a plan; that were the foundation less fastidious in its objectivity it might, indeed, have called it a frost. Mr. Selekman ventures to point out that the men in the Minnequa Steel Works have no choice whatever when choosing really matters; that they got the eight-hour day only after, and avowedly due to the fact that, the United States Steel Corporation had introduced the basic eight-hour day—which it did to counteract the threatening steel strike of 1919. Mr. Selekman also begs to state that wages in the Colorado Fuel and Iron Company are entirely guided by the *union* market. Mr. Rockefeller's miners struck with their organized comrades in the coal strikes of 1919 and 1922. His steel workers ungraciously struck in the great steel strike of 1919. It seems that they do not care whether or not Mr. Rockefeller dances with their wives on his occasional visits to Colorado. But they distinctly do not care for their enforced naturalization in his "republic of labor." The Rockefeller Plan, in short, is pure bunk! And the bunk of it was born when Mr. Rockefeller, Jr.'s, industrial innocence was conjoined with the intellectual dishonesty of the professional trimmers who worked out and helped to instal it.

Such are father and son. The sins of the father's peculiar genius did not fail to revenge themselves on the son. In the throne room at 26 Broadway sits a well-meaning, youngish-middle-aged man who inherited none of the gifts that built his fantastic power, with its vast responsibilities—both of which things confuse him miserably in an ever more complex and

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critical order. The father was an expert at alibis, framed by a gang of hardy and, in a way, admirable pirates—Flagler, Rogers, Archbold, O'Day. The son is a victim of apologies, framed by publicity "experts" and by a motley of industrial courtiers whose motives are far more personal and intricate than his. It is in this meretricious atmosphere of converting old evils into new shams that Mr. Rockefeller, Jr., conceived his naive "republic of labor." There is no doubt that he believes in it. "Apologia pro vita patris sui?"

BENJAMIN STOLBERG

Thomas Mann at Fifty

Der Zauberberg. Von Thomas Mann. Zwei Bände. Berlin: S. Fischer.

Thomas Mann. Sein Leben und sein Werk. Von Arthur Eloesser. Berlin: S. Fischer.

THE reputation of Thomas Mann has been a matter neither of facile productivity nor of striking variety or novelty of theme, nor of the constant presence of his name in the press, nor of any of the loud and tawdry and slightly unscrupulous actions and circumstances that often make a contemporary world mistake the clamor of notoriety for the slow voice of fame. Isolated, austere, seeking through the art that was given him to render an accounting of himself and his world, believing with Goethe that invention is a vain thing, that the concrete, if it be but perfectly represented, implies symbolically yet really the entire peopled universe, this noble writer has neither cried nor striven nor made haste. "Buddenbrooks" is nearly a quarter of a century old; the two volumes of the consummately done tales and novelettes have been before the public for a good many years; the essays of the war period, "Betrachtungen eines Unpolitischen" and "Rede und Antwort," did not, after all, carry on the main line of his creative activity. Now, just before his fiftieth birthday, he publishes the result of seven years of slow, ardent, vigilant labor, "Der Zauberberg." The novel is in two thick volumes. It is nearly twelve hundred pages long. It makes no concessions. Thomas Mann is not a man of concessions. Yet, as Dr. Eloesser rightly remarks, it has made the German people, in spite of sport and the movies and the demoralization of these latter years, learn to read once more. This voice was not to be denied—this voice that speaks not out of vanity, not even out of the nobler vanity of the artist, nor yet with any prophetic arrogance, but with an incomparable union of sobriety and depth concerning the fate and life and death of man. "Who is a master in truth?" Dr. Eloesser asks near the end of his eloquent and searching study. "He who helps us to live. And who can help us? Not the man of some party, the man of ready-made reasons and a ready answer, but the self-questioner, the deeply tempted, the deeply shaken who seeks ultimate reason beyond the reasons of men." The great stylist, too, the biographer goes on to explain, who seeks the beauty of the word not that it may charm and glitter, but that it may the more perfectly speak—the man of high talent who sees in perfection of execution the character that he owes this talent, without which that talent would be cheap and vain.

For the definite celebration of his fiftieth birthday this June Thomas Mann was invited to Vienna. He lectured on "Goethe and Tolstoi"; he spoke at the dinner of the P. E. N. club on the mystery of form; he bore out in all his words and his bearing the characterization with which Raoul Auernheimer greeted him, that of the "most responsible" of living artists. He has not the ruddy glow of Wassermann, smoldering so often with that "last infirmity of noble minds," nor the restless mobility of Schnitzler, nor the careful reserve, as careful as his frock-coat, of Galsworthy. He is not much moved by fame nor afraid of age and death and has long sunk the patrician in the man. He might easily be mistaken for a North German or American man of business of a quiet and refined type with his narrow, dark head with hair conventionally parted on the left, clipped but not too close-clipped black mustache. Yet in his simple appearance and demeanor there is never a moment's stressing of the note of simplicity. He is neither eager for praise nor impatient of it, nor unkindly toward the adulation of fools, but thoughtful, measured, calm, smoking his cigar, exchanging the necessary commonplaces of the dinner-table without eagerness but without condescension. A supremely kind and earnest man, utterly untempted to make either kindness or earnestness or stylistic stringency the "notes" of his personality. A man "all wool," as incapable of handing out shoddy in the high matters of his trade as his merchant ancestors in Lübeck were of measuring with false measures.

In "Buddenbrooks" and in "Tonio Kroeger" and elsewhere Thomas Mann sought to give a responsible accounting of himself and so of the creative artist in human society. In "Der Zauberberg" he turns to human society itself—to the European world on the edge of the great war but unconscious of it—and lets that society, under his philosophic and emotional guidance, render an accounting of itself. He accomplishes his purpose not by telling many stories of many men nor by dealing in incident or even primarily in character. In a sanatorium near Davos, in a high, isolated world, where nature abandons the very march of the accustomed seasons and time, grown relative in actual fact, stands icily still, Thomas Mann has staged the great debate of all the psychical forces that govern man, the great research concerning our knowledge and our ignorance of our fate, the great speculation concerning the health and the disease of mind and body, the nature of both and their relation, the high and ultimate secrets of love and death. His protagonists are men and voices, too: Stembrini, the humanist, bourgeois liberal, *rhetor*, who with all his fine truths and fine sentiments concerning the dignity and liberty of man cannot save for man either that dignity or that liberty; Naphta, the apostate Jew turned Jesuit, who strangely yet logically enough symbolizes the reactions toward power and obedience, so-called discipline and so-called order, that unite the hierarch and the proletarian, the Fascist and the Communist; Behrens, the physician, the scientist pure and simple, quite honest in intent yet forced, by the inevitable gaps in our knowledge, into a measure of charlatanism. And all these voices, as well as the morbid siren song of Clawdia Chauchat and the indomitable vitality of the self-sufficing force of Mynheer Peperkorn, hurtle about the head of that once simple young man and titular hero, Hans Castorp, engineer of Hamburg. Once simple and straightforward and almost unreflective but now cast, with his abnormal temperature and acuter sensitiveness, into the midst of this severe and rarefied world wherein all emotions are more direct and terrible and all ideas more trenchant and ultimate and in which the confusion of time, no longer cut and divided by business or pleasure, invites to an hourly facing of last and absolute issues. And Hans Castorp, held by this spiritualization of his inner self, held by the timelessness of time, held, too, by the fatal siren voice of the Russian temptress, clings to these strange heights of snow and pine and eternity. But the great, foul, blasting thunder that cleft through the midst of the world blasts him loose from his speculative eminence and hurls him into the mud and shame and falseness of the war.

Thus ends this book—a book so packed with the deepest experience of mankind, so broad in its philosophic range and profound in its vision, so intricate despite the superb clarity and order—*lucidus ordo*—of style and structure, that it will not reveal all its fulness or greatness to one year or even to one generation of readers. It is, as Goethe said of Faust, incommensurable. It is hard to define or describe. Much nonsense will be talked about it and I shall be living from now on in some fear of the English translation, which only

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a great artist and a trained thinker could undertake with any hope of measurable success. But it is with the fullest sense of sober, critical responsibility that I may, on the one hand, call "Der Zauberberg" the Divine Comedy, no less perfect for its prose form, of our disastrous age, and, on the other hand, liken the great debates in it to those Platonic dialogues that have carried both thoughts and voices across the millennia, and yet assert that the book remains a novel, an epic narrative, enlarging and also heightening, of course, the very concept of the novel by what it is. And if our age is indeed a disastrous one, the disaster is mitigated by the vigilant nobility of such a spirit as that of Thomas Mann.

LUDWIG LEWISOHN

Religion and Emotion

The Psychology of Religious Mysticism. By James Leuba. Harcourt, Brace and Company. $6.50.

The Psychology of Emotion, Morbid and Normal. By John T. MacCurdy. Harcourt, Brace and Company. $7.50.

MR. LEUBA'S book offers the most successful attempt in the English language to penetrate to the heart of mysticism. As Vaughan's vapid "Hours with the Mystics" was superseded by Dean Inge's volume, so is the latter now superseded by this learned work. To the lover of grand mysticism the book will be disappointing, for the results are negative. What William James called the radiant core of things is found to be natural, not supernatural; a lamp illumined by human effort, not engendered by divine light. The author's aim is to show that the interior or hidden life is not to be confined to Christianity or, in fact, to any religion, and that its motivation is not supernal but of the earth. The experiences he treats include all the indescribable impressions covered by the term illumination or revelation. Their traits—suddenness, unexpectedness, passivity, illumination, ineffability—are not characteristic of human religious life alone. Psychical storms ending in ecstasy are due to intoxication by the open air, by great heights, by drugs such as mescal, hasheesh, and ether, by alcohol, by love sacred or profane—in short, to causes good, bad, or indifferent.

Poetic frenzy should be added to these, for among the propagandists for belief in the transcendental nature of mystical ecstasy great poets hold a dominant position. Certain suppressed poems of Tennyson show this, as do the works of Wordsworth and Longfellow. The author quotes from Miss Spurgeon's valuable little book on "Mysticism in English Literature." He might have added a reference to the works of Walt Whitman, in which may be found all of James's marks of mysticism and also that pantheistic spirit, that "feeling of a presence," to which Mr. Leuba's personal philosophy seems to incline. Indeed his last destructive chapter on the disappearance of belief in a God-Providence amenable to human influence might well be supplemented by a study of a possible substitute. This is that form of monism ranging from Giordano Bruno's "world-soul animating all" to Whitman's "Leaves of Grass"—all quite in harmony with the author's final words: "The consciousness of being one with the whole, the faith that the universe is somehow rational, and the mental unity, strength, peace, and happiness which come to the possessor of these virtues and beliefs are in no way exclusively bound to the conception of the personal God of the Christian books of worship."

So much for the methods and conclusions of this book of extraordinary interest. The historical part is equally interesting. In the examination of the grand mystics the author is both sympathetic and critical. The psychiatrist, as physician of the soul, is one who understands the mystic moods and is, at the same time, able to penetrate to causes. As he puts it: "However it may be produced, ecstasy is ecstasy, just as fever is fever whatever its cause. The truth-kernel of religious ecstasy is no other than the truth-kernel of narcotic intoxication and of the ecstatic trance in general. Beliefs in divine presence, in divine union, and in illumination or revelation come under the field of unusual and abnormal mental phenomena." Yet the author does not hesitate to say that the Christian believers have come nearer to a just appreciation of mystical life than the materialistic scientists. In 1902 he wrote of the mystics: "Until recently the few scientists who had cast a more or less disdainful eye upon them had noted little more than ecstasies, visions, catalepsies, extravagant penances, and they had imagined that the word 'hysteria' explained everything." During the twenty years that have elapsed the scientific interest in religious mysticism has grown apace, and Professor Royce's high praise would need but a little toning down to express Mr. Leuba's opinion: "Mysticism has been the ferment of the faiths, the forerunner of spiritual liberty, the inaccessible refuge of the nobler heretics, the inspirer, through poetry, of countless youth who knew no metaphysics, the comforter of those who are weary of finitude. It has determined, directly or indirectly, more than half the technical theology of the church." Of course, adds the critic, this does not mean that a mystic is one who is "in touch with the absolute and eternal" or one who has "passed out of the finite into the infinite world." That is an exaggeration due to a literal dependence on the words of the great mystics whose writings are marred by an inexactness approaching at times to deliberate falsehood.

What really do the mystics seek? They say they want "God." But what do they want when they want "God"? Mr. Leuba's list of wants ranges from tendencies to self-affirmation and the need for self-esteem to "organic" needs or needs for sensuous satisfaction (especially in connection with sex). But these springs of action, present in every civilized individual, fell foul of two great ideals of monastic Christianity, namely, self-surrender to God's will, and chastity. Needs were one thing, ideals another, and the consequent conflict between the two is portrayed in a masterly manner. Mr. Leuba's insistence on the sex-conflict has met with much criticism, but, as he points out, not one of the prominent representatives of mysticism lived a normal married life, and many of the curious phenomena to which great mystics owe in part their fame or notoriety are due to perturbations of the sex function consequent upon its repression. For this unconventional interpretation Mr. Leuba gives ample grounds. Thus he points out that in cases of tendency to self-affirmation mystics will not tolerate the "inferiority complex." The desire to attract attention and to play a distinguished role is written large in the works not only of Santa Theresa and Madame Guyon but of Francis of Assisi and Ignatius Loyola.

In contrast to Mr. Leuba's studies of mysticism, which emphasize its normal aspects, the object of Mr. MacCurdy's work is to gather data from clinical researches into the mental mechanics resulting in systems of manic-depressive insanity. This book is written on the assumption that the mind can work outside of awareness, and uses the hypothesis of unconscious mental processes which not merely parallel consciousness but actually support and nourish it. To prove his theory he uses clinical material gathered for over a dozen years at the Psychiatric Institute of the New York State hospitals. Much of the volume is taken up with exact reports of what patients say and do, regardless of the pertinence of these observations for any particular theory. The author's effort to describe mental symptoms in terms of common speech is not successful. His elaborate glossary shows that. But the verbatim reports are certainly interesting. They furnish peeps into the mad house. The stupor reactions, the involution melancholias, the manic anxiety and perplexity states present magnified forms of morbid activity and throw much light on what is going on about

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us in everyday life. There are samples of manic poetry which remind one of Gertrude Stein with her "free associations." There are dream poems which are as subtle and meaningless as the effusions of Edna St. Vincent Millay. As for religious obsessions, the patients of Ward's Island are exaggerated examples of Mrs. Eddy with her Father-Mother God and of John Alexander Dowie and his prophetic mouthings, and in many cases of sublimation the whole program of the Uplifters and New Thoughters is written large.

Taken in such a way this volume raises a certain hope. If the institutional cases have often been "discharged cured," why should not the public be rid of certain cults that plague it? The propagandists are probably hopeless. They carry on as they do because it pays. But their admirers may cease to be admirers provided they can be shown that the poems and prophecies, the rhapsodies and orphic utterances are but the results of unconscious mental processes of a psychopathic type. Yet even the propagandists might do well to read this learned work. An improved Pelmanism might include the "fifty-seven characteristics" noted in the depressive make-up, such as lack of confidence, shyness, sensitiveness, discontent, over-conscientiousness, and slowness in assuming responsibility. Instead of being, as advertised, the dog with his tail between his legs, the man with the new mental make-up would show confidence, boldness, a thick skin, self-content, no trace of the New England conscience, and a willingness to shoulder all the responsibilities of a Henry Ford from jitneys to Jews. Psychiatry thus applied might Americanize the universe. We are therefore thankful that this profound work is hard reading. Fifteen minutes a day will never master it.

WOODBRIDGE RILEY

William Graham Sumner

William Graham Sumner. By Harris E. Starr. Henry Holt and Company. $4.

SUMNER stands easily first among the few Americans since Thomas Paine who have had the courage and the perspicacity to talk common sense. Paine was reputed an infidel and Sumner wore the surplice; but the two men were brothers under their skins. Writing simply and clearly, Mr. Starr has portrayed a masculine man who was as gentle and kindly as he was pugnacious. The portrait comports with the singularly beautiful frontispiece, reproduced from a photograph. No one who has thought of Sumner as a "hard" man will be able to think so of him again after a sincere contemplation of these two likenesses.

What was it in Sumner which made him deserve such a biography? First, he was a fine product of Americanization supplemented by European study, and a convincing justification of our Americanizing agencies. He was born in the United States, but his parents were immigrants from Lancashire, where mechanics, weavers, and other wage-earners who happen to have good minds become contentious rationalists in philosophy, hard-headed utilitarians in politics, and narrow nonconformists in religion. Sumner grew up in the atmosphere created by these attitudes and he was hard-headed by original nature, but he was susceptible to beauty and to truth however labeled. He became an Episcopalian and a rector. He was fascinated by "folkways" and could write of them without prejudice, however morally repugnant to him they sometimes were. These conversions were phases of his Americanization. Secondly, he had the divine gift of the inspiring teacher, and thousands of Yale men remember him with admiration and affection, Republicans and protectionists no less than Democrats and free traders. He was interested in every page of American history, and in his biographies of Alexander Hamilton, Andrew Jackson, and Robert Morris he reveals an almost uncanny understanding of American political thought and feeling. As opportunity offered he took part in legislation and in local administrative responsibilities, but always and above all he was a student and investigator of truly scientific temper. He had convictions and fought for them fiercely. He could say sharp things which now and then sounded cruel. But he never was cruel in fact. Like his intellect, his sympathies were wide-ranging and deep, and he never thought of sparing himself in kindly deeds or in resolute service to men who needed his sinewy help—if they were worth helping.

There were unlovely traits in Sumner, and Mr. Starr has made no attempt to conceal them. A Puritan strain manifested itself; neighbors and acquaintances who didn't know right from wrong, or, knowing, failed to do right, were instructed and admonished in the good old Roundhead way. As a boy William was undeniably a moral prig and got himself disliked. In 1859 he entered Yale.

The Yale of that time, as it has been described by J. Frederick Kernichan and Henry Holt, produced upon vigorous-minded students much the same impression that Harvard did upon Henry Adams, but Mr. Starr discriminatingly remarks that Sumner, who was conventionally religious, could not have been as disgusted as was Holt, who already was a radical. Before his class was graduated Sumner, excused from attending commencement exercises, was on his way to Europe. Before he left he had been drafted for the army, but he had no intention to go into service if he could keep out of it, and his father put up the money for a substitute. Three years of travel and study on the Continent and in England broadened the young man and took a good many kinks out of him. Returning to America in 1866, he taught at Yale as a tutor until 1869. He had become interested in what he called Biblical Science, the German brand, and was cherishing a desire to enter the ministry of the Protestant Episcopal Church. He plunged into church activities and edited a religious paper which survived one year. All this activity was to the good because, in the course of it, Sumner cut loose cleanly from dogma and dogmatism. By thirty he had married and been ordained, and had entered upon his duties as rector of the Church of the Redeemer at Morristown, New Jersey. He enjoyed his work there and was much beloved, but in 1872 he accepted the newly created chair of political and social science at Yale, where he was to do his real work as teacher and author. He could not, however, be a merely academic student of politics. During the thirty-eight years of his professorship there were only about six, Mr. Starr says, in which Sumner did not discharge arduous labors as a director of community or State affairs.

As a teacher of college students Sumner was unrivaled. Mark Hopkins has perhaps been more talked about, but he was never in the same class with Sumner. Hopkins could inspire and direct young men into safe ways, and that was much; but Sumner could make them think, and that was extraordinary. What is more, he made the public think. Tirelessly he lectured, wrote essays, and reviewed books. Fortunately a great part of his intellectual output as a publicist was written down, and his loyal friend and editor, Albert G. Keller, has collected and published it. No one who heard merciless characterizations of bunk and fallacy from Sumner's lips or who has read them in print will forget them. His one intention was to tell what he believed to be the truth and it did not matter whom he angered. It is safe to say that no other writer has more dazzlingly illuminated democracy than Sumner did in the dozen words of a chapter title: That Every Man Is a Sovereign but That a Sovereign Cannot Take Tips.

But readers who are qualified to have an opinion will probably agree with Mr. Starr that Sumner was greatest as a sociologist, and those of Sumner's friends who knew him intimately must be sure that the man himself felt that constructive work in the domain of a science of society was his big job. No man who has worked in this domain has been less irritated than Sumner was by newspaper and platform gibes

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at sociology. He had the true scientific spirit, and cared not at all whether sociology should become a pretentious science or not. What concerned him was the necessity that serious-minded men should study human society in a scientific spirit and by scientific methods. He welcomed Herbert Spencer's work and got himself into trouble with the Yale authorities by using the "Study of Sociology" as a textbook. In that affair he proved himself to be a wise no less than a courageous protagonist of academic freedom. The Yale theologians held that Spencer's book was dangerously irreligious, but they could not deny that Sumner was as sincerely religious as they were, and they never caught him off guard.

Sumner did not live to complete the systematic treatise on sociology for which he had accumulated a great mass of material and notes. These have been worked over and organized by Keller, and it is expected that the work will be published within another year or two. "Folkways," the one important sociological book that Sumner completed, was instantly welcomed as a contribution of first-rate importance. Its value has never been questioned, and it will stand as an enduring part of the science of society. No mere argument could have so completely demonstrated the importance of "folkways" and "mores" as the tissue of human society, and nothing could have been more congenial to Sumner than to establish such a fact.

FRANKLIN H. GIDDINGS

Fire and Steel

The Creative Life. By Ludwig Lewisohn. Boni and Liveright. $2.50.

IF an Italian painter of the Renaissance, one of those amazing spirits for whom Vasari was Plutarch and Boswell, were to read "The Creative Life" I imagine he would disagree with hardly a word of it. He might, indeed, marvel that its theme could ever have to be argued at such length and in such detail. He would take for granted most of what it advances as a challenge, and he would think of art rather as a triumph of the artist over himself than as a triumph of the artist over a society which wishes he would somehow be another kind of artist. But the man of the Renaissance would agree that

> . . . the creative will is not the will toward good, toward the preservation through conformity of the existing forms of life. It is a will that strives beyond the goodness of the day or the century toward a vision and an idea that may, when embodied in life and thought, become goodness, conformity, mere preservation in its turn, and need new saviors and insurgents to liberate mankind from stagnancy and spiritual death. For the individual goodness is enough. To conform and preserve is agreeable with his tastes and powers. For the race it is not enough. A people that crushes the creative will has only an Egyptian future and will leave as its chief monument a tomb reared by a slave.

With more precision and yet with more variety than may be found in any other recent critical book, Mr. Lewisohn puts the case for the artist, whether in any of the arts or in conduct itself. Among Americans he is of the line of Emerson and Thoreau and Whitman, of whom in one of his finest essays he points out that they are now too often regarded as venerable men, conformable to the national tradition, when actually they were all, in their day, cargoes of dynamite feared by the safe watchers at almost every port. Mr. Lewisohn has long been aware of the growth in the United States of a kind of Roman unity of manners and opinion. He has observed an increasing tendency on the part of the majority to hold that it is the duty of the artist, as of other citizens, to bend his will to public usefulness, to help the most wide-spread opinions to spread further, to encourage the sentiments which have grown standard, and to represent in art the aspects of human nature which the self-satisfied would best like to see represented. Against this conception of the artist's function Mr. Lewisohn fights. "Art is not a profession; it differs in kind from teaching and healing and pleading causes. . . . Art is the life process in its totality. The poet, the experiencing one, is a poet in every moment, in every relation. . . . His vision is his constant self. His material is not stone or iron or market values or laws; it is love and aspiration and ecstasy. His business is with fundamentals." How, then, can the artist tamely adjust himself to advantageous prudence? He cannot do it. Society is not original; it is derivative; it is merely the convenient pattern in which at any moment men have formed themselves. But the original substance is the individual, who becomes important in proportion as his originality rises to creation. If he meanly compromises, he wastes something precious which cannot be spared. If society forces him into subordination, it is as if the hands and feet should subdue the brain and heart.

Mr. Lewisohn does not regard the artist, however, as a mere detached flame, burning its own fuel to produce its own heat. He regards him as a member of that large society which is all mankind. For this reason, a provincial conformity can never be enough. The artist must take the longest views must free himself from all local and temporal prejudices What discipline, then, must he choose to give him form instead of chaotic expansiveness? Mr. Lewisohn believes that the artist must shape his own discipline out of his own instincts How is he to know which of his instincts are authentic? By searching within himself so long and remorselessly that he can no longer be deceived, and selecting those instincts which are most sincere, direct, and intense. There is, Mr. Lewisohn agrees with the Greeks, no measure for the universe but man Truth is to be found in the specific, not in the general. An honest man is the only work of God which can be trusted And in the long run, one honest man will be found to be much like any other honest man. For the artist to know himself is to know the best that can be known; for him to give free utterance to himself is to do all that can be done to give truthful utterance to the realities of inarticulate humanity.

Though Mr. Lewisohn worships fire, he uses steel. He has no sympathy with sprawling violence in art. Swift is his favorite model for prose, Goethe is his ideal critic. While he can be patient with certain writers whose chief merit is their effort to be sincere, he prefers those who succeed in such an effort. For to have succeeded thus is merely to have gone deeper into truth than other writers go who are troubled by the menaces of censorship and the pleadings of respectability Whatever is truly authentic, Mr. Lewisohn believes, can be made clear. A shapeless or spasmodic or lurid book is the sign that its author has not fixed his eye austerely upon his vision, but has feebly turned aside, perhaps out of some mistaken concession to his audience.

"The Creative Life" is an arraignment of the casual audience which, particularly in contemporary America, demands that the artist come too far to meet it; but the book is also a defense of that eventual audience which, Mr. Lewisohn thinks, awaits all genuine excellence. In the name of the second audience, Mr. Lewisohn, with a pointed and lovely pen, denounces the first. He multiplies instances. He ranges over scattered fields, approaching his argument from every direction. There is scarcely an objection that he does not meet There is scarcely a figure in contemporary literature who he does not touch, shrewdly and justly. Yet in the end he gives the impression less of a journalist who has collected volume of miscellaneous essays than of a scholar who has painstakingly evolved a treatise. However diverse the illustrations, there is only one central theme. If there is a mounting apprehension in the United States of the need of just such doctrine as this critic expounds, it is in no small part due to the firm, logical, eloquent art with which for half a dozen years Mr. Lewisohn has been expounding it.

CARL VAN DOREN

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The Novelist as Lecturer

Portrait of a Man with Red Hair. By Hugh Walpole. George H. Doran Company. $2.

IT takes all sorts of St. Georges and slimy dragons to make a world for novelists to play in, and Hugh Walpole has always been a very special sort of St. George riding down the horrid dragon of modern realism. Ever since he came mounted on his first stallion, "The Wooden Horse," he has gone about armed with virtue and looking for scaled monsters to demolish with a fine charge of bright words and all kinds of encouragement to other young men vowed to the sacred cause of what he calls romance. Of late years he has taken younger writers under his particular dispensation and informed the public that romance is coming again into her own and that dragons lie waiting to be slain. At one time he planned or appeared to plan a set of novels called The Rising City which somehow was going to include the life of our own time. It began with "Fortitude" and "The Duchess of Wrexe" and trailed off somehow like a lopped dragon's tail, and now these novels are listed simply as The London Novels and "The Dark Forest" and "The Secret City" are listed as just novels. Has Mr. Walpole lost faith in his skill at building a rising city and does his sentimental flight into books like "Jeremy" and "Portrait of a Man with Red Hair" mean that he has bitten off more dragon than he can chew?

If it were not for the reputation and the importance attached by all sorts of persons and publics to the name of Hugh Walpole there would be no special reason for so serious an investigation of his success at busting dragons. He began by being one of those promising younger novelists whose later works stretch out like promissory notes at a low rate of discount. He has ended by growing more and more sentimental about his heroines and more and more explicit about the world's need of purity and romance and more and more severe on the sins of modern realism. "Modern cleverness," he exclaims in his latest work, "has taken one's beliefs away, modern stupidity has deprived one of the possibility of romance. No God, no heroes any more." It isn't any new charge which Mr. Walpole is bringing against the dragon of the slime. Ever since his first book he has tried to substitute something for the omissions of this century. His formula never varies; and even where he calls his "Portrait of a Man with Red Hair" a "romantic macabre" he is simply ringing changes on the ideas of "Prelude to Adventure" and "The Green Mirror" and "The Gods and Mr. Perrin." One may protest that all this bears little resemblance to the true romance.

The plot of the last book is the plot of the first book; and that is very little objection, provided only that the plot brings enchantment to its capture of the dragon. Mr. Walpole always has a bashful lonely young-old man desperately anxious to stop being bashful and lonely in a world which has made him not a soldier and always afraid. He goes by the name of Maradick or Galleon or Harkness. Somehow in the heart of life glitters a golden adventure which calls him just once or forever passes him by in his shyness and his ingrowing loneliness. It may be war or the Russian revolution or writing a novel or (as in the case of "Fortitude") marrying a girl who keeps him from real life so that he at last solves things by going out and talking to the ocean. As often as not he goes to some Cornish town and knows before his departure that romance waits for him in some mysterious enterprise and that he simply must not fail his trust. For any number of pages Mr. Walpole clucks round him and explains him and mothers him generally while you cry aloud for the story to get started. At last something exciting catches the hero and encompasses him in an ecstasy shared at great length by Mr. Walpole, and then he has something to do with helping a young girl before whose purity and grace Mr. Walpole himself is utterly prostrate in golden words. At last the young-old man proves his mettle by being unselfish and giving up the girl to a younger man and shaking off the rigid sheath of his bashfulness and slaying dragons and making himself generally useful and ending by being lonely but serene in a proved fortitude. All along the way Mr. Walpole is very edifying.

It is a very special kind of romance which would be acceptable enough if only Mr. Walpole really could spin a yarn. In the preface to "Portrait of a Man with Red Hair" he protests he has done no more than just write a story. He invents a horrible pale man who wants to torture a young girl and locks her in a tower and captures her two knights-errant and tries to torture them and at last gets thrown off the tower into the sea. It takes Mr. Walpole nearly a hundred pages to explain the situation and his hero. It takes him thirty or forty pages to have the hero and the girl sit near the ocean and recognize each other's purity and merit. The story pads round and round a house where something horrible is about to happen while Mr. Walpole talks and talks about romance and landscape and etchings and pure young girls. After any amount of preparation he takes you into the house and keeps you there possibly one minute while he pushes the villain through the window.

Unless he is as good as Algernon Blackwood there is not much use in any other writer trying to make an Algernon Blackwood story. It isn't a question of Mr. Walpole's good intentions or the niceness of his characters. It is simply that he has no story to tell and any amount of lectures to deliver. He sends you flying away from younger novelists still promising and promising. You go packing toward Algernon Blackwood's "Dr. John Silence" and "The Willows" and "Max Hensig" and "The Wendigo"—where you are promised horror and where you get horror, and a thrill, and literary genius.

DONALD DOUGLAS

Castlereagh and Canning

The Foreign Policy of Castlereagh. By C. K. Webster. Harcourt, Brace and Company. $7.50.

The Foreign Policy of Canning. By H. W. Temperley. Harcourt, Brace and Company. $7.50.

THESE two volumes are complementary to each other, and no student of European history in the last hundred years can afford to neglect them. They are based on monumental erudition; probably there is no dispatch of importance in European archives which their writers have overlooked. If they do not come to us with the force of novelty that is largely because earlier and partial work by their writers had prepared us for at least the outline of their conclusions. But in the fulness and patience of their analysis, in the scrupulous accuracy with which they move to their appointed end, in the interest in their subject not merely as connected narrative but also as a system of ideas they will equal the highest expectations that have been formed by their appearance. The chief business of the critic is to congratulate their authors, and to express his gratitude for their labors.

Mr. Webster, I believe, has had the more difficult task. Castlereagh is not an easy figure to make intelligible. The mists of prejudice have surrounded his reputation; and where the pens of Byron and Cobbett have been sharpened to destroy, it is not easy to rebuild. There is, moreover, justification for not a little of the attitude taken by the early radicals; for whatever the attitude of Castlereagh in foreign politics, in domestic affairs he had no grasp of the ideals or needs of his generation. And whatever the merit of his foreign policy, it was difficult for contemporaries to do justice to him. He worked in an atmosphere of secrecy. He was unconcerned to consult, much less to create, what there then was of an English public opinion. A bad speaker, a character melancholy and

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morose, a man born without friends and incapable of inspiring affection, he was not a figure to command attraction. It is the great merit of Mr. Webster's book that despite the difficulties he has been able to show us a figure of very striking proportions. No one, after this, can deny him either boldness of conception or energy of execution. He was not, indeed, always successful; but his policy secured for Britain a position of supremacy in Europe, and the end he sought to serve was the great end of maintaining peace by international cooperation. He may have been in advance of his age in venturing so to dream; but at least it must be noted that men so able and so shrewd as John Quincy Adams did not think so. What, indeed, we do not know is how far Castlereagh grasped the implications of a pacified Europe as the growth of democratic habits was to reveal them. After all, as Mr. Webster admits, the purpose of the alliance he maintained was purely conservative. He himself had no sense of, or desire for, popular support. He did not and could not explain to his fellow-citizens what he desired. He was, in short, a great product of a decaying system; after 1832 his habits and temper would have been impossible.

The fault of Mr. Webster's book, if it has a fault, is a certain heaviness in the handling of the material. No reader can say that of Mr. Temperley's. He has obviously enjoyed writing it, and he conveys his sense of enjoyment to his reader. Canning was the Winston Churchill of his age. He could talk about everything with wit and ingenuity; he could talk about few things with profundity. He was a brilliant administrator who somehow never quite convinced you that he was a man of principle. There is about all he did what Bagehot called a certain dexterous insincerity which made you want to yield without the sense that you ought to yield to his charm. Even if he announced great principles you were never quite sure he believed in them. Even if he did generous things you were never certain that he did them for their own sake. Of certain historic charges Mr. Temperley, I think, does successfully dispose. He shows that Canning was not merely a brilliant persifleur. He makes it clear that he was able to bend his mind to really hard thinking, that he could grapple with the inner substance of a great subject. He was not the mere charlatan of genius he appeared to his opponents. No student of political science can afford to neglect the instructive chapter in which Mr. Temperley describes the working of the Foreign Office under him; that is an account of a man who was capable of administration on the grand scale. And Canning the *novus homo* is, clearly, a portent of no inconsiderable kind. His use of opinion as a weapon and his treatment of America are both activities of which only a man sensible of a new spirit in affairs would have been capable. Mr. Temperley does not entirely persuade us to regard his policy as so entirely a unified intellectual scheme as he himself sees it; but he does persuade us to a deeper respect for the man himself and a regret that he was not given ampler opportunity to translate his policy into terms of the event.

HAROLD J. LASKI

War-Time Diaries

An Ambassador's Memoirs. By Maurice Paléologue. George H. Doran Company. Three volumes. $22.50.

The Diary of Lord Bertie, 1914-1918. Edited by Lady Algernon Gordon Lennox. George H. Doran Company. Two volumes. $10.

DIARIES should be indiscreet; they should not be written with a weather-eye on posterity. Maurice Paléologue, French Ambassador at St. Petersburg when the war broke out, was too finished a diplomat not to think of possible readers every time he took a pen in hand; hence his diaries lack the freshness of crotchety old Lord Bertie's. Paléologue's picture of his own enthusiasm for the war in the dark days of July, 1914, is, to be sure, more revealing than he meant it to be—even in these volumes, slightly toned down from the version which appeared in the *Revue des deux Mondes*. And he has a French sense of the dramatic which gives life to his account of the Rasputin affair and color to his story of the decay of Czarist Russia.

Lord Bertie, British Ambassador in Paris, jotted down his thoughts day by day with no eye to the reader. He frankly expresses his opinion that Zionism is "rot" and his hope that the American troops will stay on the French front—where troubles will arise with the French rather than with the British. And he is direct in his record of his own distrust of Russia in the July days. "It seems incredible that the Russian Government should plunge Europe into war in order to make themselves the protectors of the Servians," he wrote on July 26. "If the Emperor of Russia adhere to the absurd and obsolete claim that she is protectress of all Slav states, however bad their conduct, war is probable," he wrote a day later; and on July 28 he notes the return of Isvolsky, the Russian Ambassador: "He will do a good deal of mischief in fomenting a war spirit here." On July 30 Lord Bertie wrote: "The French should put pressure on the Russian Government to moderate their zeal. If we gave an assurance of armed assistance to France and Russia now, Russia would become more exacting and France would have to follow in her wake. The newspapers, but not yet the people, are becoming bellicose." And on July 31: "Isvolsky goes about declaring that Russia is ready and war inevitable. What a fool, even if it be the truth!" After the Germans had invaded Belgium, and England had declared war, Bertie went war-mad like the rest, and hated a pacifist as much as a Zionist.

Such a frank record of the mood of England's responsible representative in Paris, watching the conflict draw near, is a useful corrective of the distorted mirror of those days which propagandists have since made all but universal.

LEWIS S. GANNETT

Economics of the Spirit

The Relation of Wealth to Welfare. By William A. Robson. The Macmillan Company. $2.25.

"THE peculiar curse of our age is what may be called the Monetary interpretation of Welfare. . . . It is, in short, the general identification of wealth with welfare, and in particular the confusion of private wealth not only with the common good but also with the welfare of the owner thereof, that leads men to waste their substance in a vain and rapacious scramble for the power to acquire possessions and command services that bring satisfaction neither to themselves nor to others, but which nevertheless deprive whole hosts of their fellow creatures of true forms of well-being." Around this idea Mr. Robson has written a big little book. On the positive side he asks:

> If we find that private income does not yield to its possessor all or some of the most essential elements of welfare, in what other quarter should we seek them? One source that may be suggested is public expenditure and collective action by the community as a whole, considered not as mere potential forms of associated effort existing in the ideal programs of social reformers, but regarded more definitely in the light of the contribution which they actually make to the life of the individual under present conditions.

Of the infinitude of complex elements that make up human welfare Mr. Robson deals with four, all of them highly important—health, art, work, and education. The chapter on health, one of the best in the book, clearly illustrates the main thesis. As the author demonstrates, above the mere subsistence level increased income makes very slight contribution, if any, to better personal health. On the other hand, "most of the conditions of personal health are, in fact, more dependent upon public control than upon private income, once a minimum of decency has been secured by the latter." The two hundred tons of impurity that

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hang suspended in the air over London on a foggy morning affect rich and poor alike. Not all his gold can shield the modern Midas from the nerve-racking noises of our modern Sardises and Babylons. Not the wealth of the individual but the vigilant eye of the public inspector defends the rich man, like the poor one, against impure water and tainted milk, against typhoid-carrying oysters and other poisoned food. It is becoming increasingly clear, as Mr. Robson remarks, that there is almost no such thing as private health; for rich and poor alike must depend on collective public action to maintain the conditions which make personal health possible. The public-health service is in truth not simply a "spending" but an "earning" service. It distributes its invaluable earnings, however, in kind, without increasing the money income of the receivers. "A necessary condition of increased effort in this field is a realization that a diminution of private income may be more than compensated for by the receipt of a larger income in terms of health." This last simple and obvious truth offers a key to the whole of Mr. Robson's argument—which demolishes not only the basic assumption, but consequently a large part of the practical precepts, of the omnipresent and pestiferous business economist.

Turning from health, what is more important for genuine human well-being than the appreciation of art and the development of creative artistic activity? Yet, in the suggestive words of Vernon Lee, "Material possession has no aesthetic meaning. We possess a beautiful object with our soul; the possession thereof with our hand or our legal rights brings us no nearer the beauty." Riches convey no power of artistic appreciation; hence the obvious logic of liberal collective expenditures for public picture galleries and museums, for concerts, beautiful buildings, bridges, monuments, statues, parks and gardens. It is too largely true, as Mr. Robson points out with some exaggeration, that the tendency of the unregulated self-interest of the capitalist entrepreneur is to develop the modern city "into a hideous collection of slums and factories and office buildings which offend the eye and petrify the aesthetic faculties," and that the community in its collective capacity has been responsible for almost every town-improvement scheme and in general for all measures intended to create a more artistic municipal environment. But none of these manifestations, whether of hideosity or of beauty, find expression either in the money income of the individual or in his so-called "real" income, the flow of goods and services that he receives.

Drawing the whole argument together, the power of private income, beyond a very modest minimum, to increase the welfare of its possessor in respect of the four essential elements is small; that of collective action and public expenditure, comparatively great. Second, neither the welfare that a man derives from the enjoyment of these elements of the good life nor his deprivation in their absence appears recognizably either in his money income or in his so-called "real" income. Private income is a bad index of welfare, and we have no right to base our economic scheme on the assumption that increase of income necessarily increases the welfare of its possessor. We must learn to think less in terms of money income, more in terms of the various elements of welfare as they affect the lives of individual men and women, and therefore to pay much more attention to the conscious control by the community of the social and economic environment. The income that is really important is not an income of money, or even of goods and services, but of the various elements of welfare, and in large part they seem to be best provided by collective, not individual, activity. Evaluating life in terms of life, we shall no longer be able to rely on the desire for more wealth as an adequate incentive to work. And then? Not stagnation and not Utopia; but once we learn to think of material well-being in terms of non-monetary individual welfare, we may go forward and begin to build the world into the land of heart's desire.

HENRY RAYMOND MUSSEY

Colonel Mitchell's Book

Winged Defence. By Colonel William Mitchell. G. P. Putnam's Sons. $2.50.

EACH of the generals now sitting as judges in the trial of Colonel Mitchell should be equipped with a desk copy of "Winged Defence." Colonel Mitchell in this book presses hard for recognition of air power and directs an extremely bold attack against our military establishment and its honored traditions. He rips open the war and navy departments and lays bare the colossal waste of our obsolete navy and the general futility of field armies. The army and navy for him are relics of past wars. Air forces operating swiftly over great distances will decide future wars. Colonel Mitchell would establish a single Department of National Defense under which would come the air service, the army, and the navy.

Colonel Mitchell has set himself a tremendous task in trying to bring about this reorganization. Military men are safely immune to innovation. The cross-bow men in the Middle Ages coexisted for a long time with the musketeers, and the British fleet used sail long after the appearance of steamships. Hindenburg in his Tannenberg campaign is said to have followed the tactics of Hannibal, and the fleets in the late war those of Actium and Trafalgar. Our own services have rested undisturbed since Civil War days. It took the contaminated-food scandal of Spanish-American War times to bring about the consolidation of the quartermaster and supply departments—a trifling detail in comparison with Colonel Mitchell's project. Even Admiral Sims, the leading radical of the navy, cannot break completely with tradition. He ridicules the battleship and coast defenses as toys and calls for a strong air force—but an air force divided and subordinated to the old established services.

Colonel Mitchell supports his case with a mass of interesting acts, records, and opinions. His own experiences during the war as commander of our overseas air force, his recent experience as assistant chief of our air service, and his intimate knowledge of world aviation give him an authoritative status which army and navy chiefs cannot lightly brush aside. Congressmen, to whom the book is in part dedicated, may be swept off their feet by his fire and sincerity; but some of them may wonder at his claims. Aircraft alone will fight the next war, with scout planes fighting for air supremacy, with bombing planes destroying the economic life of the enemy country. The army will remain, but merely as a police force at home and an occupation force abroad. The navy, except for the submarine, has no place in future wars. The battleship is obsolete before it is completed, an outrageous waste of public wealth and an easy prey to aircraft. The complete cost of a modern battleship is not $45,000,000, as commonly supposed, but with its accessories $100,000,000. This vast sum would furnish, ready for action, 4,000 airplanes any one of which could sink the battleship. The bombing trials proved, in spite of the navy's misleading statements, that "aircraft today can sink or destroy any vessels that have ever been built or can ever be constructed." Our expensive coast defenses are also doomed, as our air force will take over this work of coast defense, attacking seacraft at long distance from the coast. This fact should interest our Congressmen, as "every time a large seacoast cannon is installed it costs half a million dollars. In the ten years preceding 1920 the United States expended about $1,800,000,000 on coast defenses." But Colonel Mitchell strays into strange pastures when he discusses disarmament. He would make the bombing plane a dove of peace. Aircraft would destroy things instead of lives. Even the layman will wonder how Colonel Mitchell's bombing peace doves will manage to destroy the economic life of a country without taking with it a goodly portion of the population. He also maintains that the devastating

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effect of aerial warfare will keep countries from going to war. He may not know that similar statements were made by French Socialists as far back as 1912, just before the World War, and the same sort of talk was heard after the introduction of steam and electricity. Colonel Mitchell may leave the mission of world peace to his civilian brothers. He has his hands full now.

M. W. ROYSE

The Tariff Again

A New American Commercial Policy as Evidenced by Section 317 of the Tariff Act of 1922. By Wallace McClure. Longmans, Green and Company. $4.

THERE are signs that the tariff, which of late has not been an active issue in American politics, may before long resume something of its old place of importance in Congress and in the country. If it does, Dr. McClure's book will prove a useful storehouse of facts and an interesting arsenal of protectionist arguments. Section 317 of the Fordney-McCumber tariff, to which Dr. McClure devotes his nearly four hundred pages, provides (to quote the author's summary) that

> whenever the President finds *as a fact* that any country (1) imposes upon the disposition in, transportation through, or reexportation from its territory any unreasonable exaction upon any product of the United States which is not equally enforced upon similar products of every foreign country; or (2) discriminates against the commerce of the United States by law or administration with respect to import, export, or other duties, regulations, or restrictions in such a way as to place the commerce of the United States at a disadvantage compared with the commerce of any foreign country; and when he finds that the public interests will be served thereby, *he is directed* to proclaim new or additional duties, calculated to offset the unequal imposition upon American commerce, but not exceeding 50 per cent ad valorem, upon the importation of any or all of the products of the discriminating foreign country. If this procedure proves ineffective he may proclaim absolute prohibition.

Dr. McClure admits that the tariff act of 1922 is "high-protectionist to the core," and that while the provisions of Section 317 "are consonant with a policy of protection, it must nevertheless be recognized that a foreign policy which seeks markets and demands the Open Door is not consistent with a domestic policy of virtual prohibition." In other words, the act itself embodies a theory which may go far toward nullifying the policy of the section in question. In addition, he is able to point out no less than eleven paragraphs of the act which are inconsistent with the policy of Section 317 and two other clauses whose bearing is doubtful. Nevertheless, he supports the flexible or defensive policy of the section because in theory the Fordney-McCumber act, as he sees it, contemplates a most-favored-nation treatment of international commerce by the United States, and accordingly should lead, if properly and fully applied, to the negotiation of commercial treaties embodying the most-favored-nation principle. He is careful to insist, however, that the application of such a policy should be unconditional. The "American interpretation" which consists in combining preferences and reservations with a most-favored-nation policy seems to him "a scarcely surmountable obstacle" to the development of "the more far-reaching purposes" of the act, and such an interpretation ought to be abandoned in favor of a policy to which no strings are attached.

It will probably seem to most opponents of protection that the spacious policy which Dr. McClure champions will not, even when applied in the comprehensive fashion for which he pleads, turn out to be anything more than another elaborate device for supplying American industry and trade with a government crutch, or further the international good feeling in commercial matters of which the world at present is very much in need. It may enliven industry and commerce by a bountiful and all-round administration of stimulants, but we shall still be trying to coerce the foreigner into doing business in our way, and practicing favoritism in the name of the general good. However, Dr. McClure is entitled to state his case and urge his plea, and his book is a scholarly and useful piece of work. His account of the most-favored-nation policy as pursued hitherto by the United States, of the open-door policy where it has been advocated or applied, and of the policies of other nations which have resorted to special tariff bargaining or imperial preferences, is an instructive compendium of information which it will be worth while to have at hand when the next debate over the great American fetich comes on.

WILLIAM MACDONALD

A Puritan Pagan

Lord Timothy Dexter of Newburyport, Mass. By J. P. Marquand. Minton, Balch and Company. $3.50.

THE tide of biography, now running at the full, brings in odder and still odder bits of flotsam and jetsam. Interest —the interest of the publishers and biographers, at least— centers more and more upon the grotesque and the bizarre rather than upon the normal. Not infrequently the results are thin or, what is worse, merely theatrical; but, while the present work falls wholly within the category of fantastic biography, it is both a highly desirable book and one that leaves little to be desired. Mr. Marquand portrays his unheard-of hero with just the amount of inflated gravity and sympathetic insight that he deserved. One closes the book feeling that Lord Timothy himself, whose aspiring soul was never satisfied with anything that this vain world affords, would actually be almost pleased with this tribute to his greatness.

For Lord Timothy Dexter was a combined misanthrope and sybarite. As one follows his rococo career one constantly feels that here was an American Dean Swift in microcosm. The soul of this hedonistic tanner-merchant-speculator-epigrammatist was a complex affair; despite his absolute lack of formal education, he kept his countrymen guessing about his character in his own generation and their descendants are guessing still. He hoaxed his business competitors—"speklelaters [that] swarmed like hell houns"—into believing that he was a harmless dunce, and then fleeced them under their very noses; it is probable that he made a fortune by selling Bibles to the West Indians who were induced to buy the Holy Book by his threat that "all of them must have one bibel in Every familey, or if not thay would goue to hell"; he wrote a book, "A Pickle for the Knowing Ones," in order "to learn myself to write and spell which I never knew how. . . . Clear Nature has been my school master," and thus produced a volume that, for compact, energetic expression of a many-sided nature, is almost without a peer. Worst of all, he mocked at all the cherished rigidities of the New England conscience. "If I am not converted, there is not anyone converted as I think," he wrote in 1795; "I have been more than twenty years converted (I am not joking about it) ever since I got me a housekeeper." In less than two years the pious devotee had been mercilessly thrashed twice, and forced to flee the neighborhood, for trying to convert other men's housekeepers. Nor was his impression of church activities very edifying. This is his description of one sermon: "Less pray, & so went on, fire, fire, & brimstone & grunting & sithing, and tried to cry & snifel & blow the sconks horn, & sum of the old fules & yung fules sot to crying. I tuck my hat and went out."

In his old age the diverting paranoiac became ever more eccentric. He styled himself "Lord" Timothy Dexter who was "First in the East, First in the West, and the Greatest Philoso-

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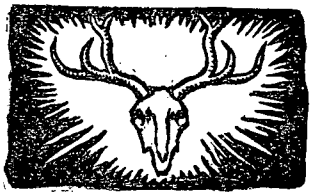

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pher in the Western World"; he immortalized a rascally local bard by making him his "Poet Lauriet" and crowning him with parsley leaves; he surrounded his palatial house with gaudy wooden statues of "Doctor franklin, John hen Cock and Mr. hamelton and Rouffous king and John Jea . . . one younecorne, one Dogg, Addam and Eave in the Garden—one horse." Finally he built himself a tomb with a "Temple of Reason," twelve feet square and having 158 panes of glass, on top of it, and ordered a special coffin behind which he proudly trudged as it was carried through the streets on a wheelbarrow to the tomb. The casket had "nobel trimmings, uncommon Lock, so I can take the kee in side, and have fier works in the toume, pipes & tobacker & A speaking trumpet, and a bibel to read and sum good songs." Then, capping the climax, he had a "mock founnel" which was accompanied by "very much criing"; but when it was over he soundly thumped his wife because she had not wept at all. Not many years later, when the genuine funeral of "I-I-me T Dexter" was held, his righteous townsmen refused to entomb him in his beloved pagan mausoleum but buried him in plain New England soil.

This book, in short, adds further and very pointed information to the slowly growing fact that the New England of the eighteenth century occasionally combined the decadence of the Deistic French Revolution with some Babylonian excesses all its own. Lord Timothy Dexter, one suspects, would not be too comfortable even in the present enlightened and unbigoted age.

R. F. DIBBLE

Without Benefit of Rules

Public Utilities and the Law. By William M. Wherry, Jr. The Writers Publishing Company, Inc.

THIS book is written by a public utility lawyer primarily for the guidance of public utility executives in their opposition to public control. In the author's own words, "the work is intended as an exposition, made as simple as possible, of the rights of public utility companies to make and obtain profitable rates for their services without State interference." Another purpose of the book, quite obvious to the reader, but not quite so frankly expressed, is to promote the employment of the author and other experts by public utility companies to prepare for and handle their rate cases. "At the very outset of a movement to make a new rate," says Mr. Wherry, "it is important that a company obtain competent and trained legal advice, so that it may know just what issues are likely to be involved, and what preparation, from the legal point of view, may be necessary." And further on he adds: "The need for expert services in rate matters cannot be emphasized too strongly. Another thing worth remembering is that no treatise can take the place of the actual services of an expert."

Mr. Wherry's book is very readable; it is a clever exposition of the law from the standpoint of the right and power of the utilities to escape the restrictions of regulation. It has been charged that the public utilities, though nominally clamoring for state regulation, never have accepted public regulation in good faith and never cease their efforts to thwart it. Mr. Wherry's book may be accepted as one proof of this charge. He stresses, first, the theory that public utility property, though devoted to public use, is still private property, and on this basis he is able to reason away all substantial legal restrictions upon the freedom of its owners to use it as they see fit. "Now, an owner of a public utility property," says he, "has a right to charge for the use of that property whatever pleases him, so long as his charges are not so high or unreasonable as to prevent the proper 'use and enjoyment' of the facilities he has dedicated to the public service." In other words, the utilities have the right to charge what the traffic will bear, and the state has no right to interfere with them. The author admits that "the rate charged by a company must not exceed the value of the service which it renders to the community"; but he assumes that a service is always worth more than its cost. He says: "A company has a right to charge any rate so long as it is not unjust and unreasonable. A reasonable rate is one which divides the spread between the cost of producing or selling what is produced and its value to the person who buys it. The service of any public utility to anyone of its consumers is vastly more valuable than the mere cost of furnishing it." And there you are. Exit public regulation except as a means of enabling the companies to charge any rate up to what the traffic will bear, without interference.

DELOS F. WILCOX

The School of the Ape

Almost Human. By Robert M. Yerkes. The Century Company. $3.

MR. YERKES has written an engaging story of what is probably the most interesting collection of pets in the world, the ape colony in Havana. On the beautiful estate of Madame Abreu nearly eighty primates are assembled—marmosets, tamarins, night-monkeys, squirrel monkeys, titi monkeys, howlers, capuchins (the favorite of the organ-grinder) macaques, mangabeys, baboons, and mandrills. Most interesting to the psychologists invited in 1924 to observe this colony were the three orang-utans, the many adult and adolescent chimpanzees, and the female gibbon. Only the gorilla is missing and this gap will probably be filled, since the experience of Miss Alyse Cunningham has shown that with intelligent feeding, hygiene, and companionship it is possible, even though difficult, to keep young gorillas in good condition. The question of mental hygiene for apes is raised by Mr. Yerkes's suggestion that difficulties in rearing the primates may be due quite as much to failure to supply suitable companionship, either animal or human, as to improper feeding or exposure to disease.

The purpose of "Almost Human" is to furnish an accurate report of this strange colony about which we have been hearing for some time and to afford the layman an orientation in the world of scientific research among the primates. Despite the unquestioned authority of Mr. Yerkes, the value of the book to science is, in the nature of the case, distinctly minor. The ape colony of Madame Abreu offers the finest possible opportunity for controlled experimentation—an opportunity unparalleled for increasing the sum total of human knowledge regarding the anthropoids; but this opportunity has been largely neglected or ignored. Madame Abreu's conclusions regarding the mental capacities and personality traits of her pets are important only where they serve to confirm the findings of such investigators as Köhler and Yerkes. Her notions regarding the souls of the animals and their capacity to perceive the departing ghosts of other apes might easily have been made ridiculous; Mr. Yerkes has shown a fine discretion in his method of presenting such naivetes.

The most remarkable achievement of the colony is the rearing of Anuma, the first chimpanzee born in captivity in the New World who survived for longer than a few weeks. Anuma has not only survived but flourished to the age of ten. As he is rapidly reaching maturity the center of interest is shifting from him to his half-sister Lita, now three years old. The marked differences in personality and behavior between Anuma and his father suggest the important possibility that domestication has actually taken place, and Anuma's future as an adult chimpanzee becomes actually more important than his past. The interesting fact that so active and intelligent an animal as the chimpanzee has never been put to work, despite a capacity rated sometimes as high as that of a seven-year-old

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child, makes the future of Anuma and Lita of further significance, for if the ape is capable of domestication it would seem he should also be capable of training along lines of usefulness.

The primary importance of the primates, however, will probably always lie in their points of resemblance to human beings. Except for a well-developed language the great apes manifest practically all of the so-called human characteristics, and it is possible that with the basis already laid of a variety of meaningful cries the development of language among the apes has only waited upon a life requiring such development. Madame Abreu's colony is particularly useful in establishing the importance of individual differences among the apes, so that we now see that conclusions must be based upon a large number of studies rather than upon isolated instances. While her views regarding the mental life of her pets have the value only of natural history her development of methods of care and treatment under which such varieties of apes live and flourish is entitled to a most respectful consideration, and it is interesting that she has found a vegetarian diet adequate to keep the anthropoids in perfect health and to enable them to breed and rear young successfully. Her colony from this standpoint represents an achievement of the first rank, and it is unfortunate indeed that the further step has not been taken of introducing a psychological laboratory into the center of this ape world.

Mr. Yerkes devotes a final chapter to the possibilities of research among the primates for the sake of biological, medical, and educational knowledge which may later be applied to human beings; and he concludes that the primates have a strategic value for psychological inquiry, declaring that "of all living creatures they are the most promising material for the psychologist, aside from his fellow-beings. And where the fellow-beings refuse to lead or follow, where experimentation is unjust or otherwise impracticable, the infra-human primate is supreme. It is far worse than careless to ignore or neglect our opportunities; it is wholly inexcusable." It is to be hoped that provision may yet be made for utilizing in a more thorough degree the opportunity presented by the Cuban colony.

LORINE PRUETTE

Verse

Poems. By Irwin Edman. Simon and Schuster. $2.
You Who Have Dreams. By Maxwell Anderson. Simon and Schuster. $2.
Tiger Joy. By Stephen Vincent Benét. George H. Doran Company. $1.75.
Caravan. By Witter Bynner. Alfred A. Knopf. $1.50.

THE revival of poetry in America about twelve years ago was not accompanied by a conscious reorganization of critical thought. There have been good critics in isolation and they have formed a partial though not very lucid taste for as much of the good poetry as is not popularly too difficult. But the depraved poetic taste that ruled before the war has not been radically corrected: one may suppose that, the novel properties of the "new poetry" having become a commodity for trade and dimmed considerably, we are returning complacently to our accustomed poetic oblivion in which poetry out of the great traditions of style becomes incomprehensible and, after a few gratuitous measures, suffocates.

Our chief deficiency has been the lack of a critic who might have done for the last ten years of American poetry what Gourmont did for symbolism. Mr. Untermeyer has been the harbinger of fashion; he was never the apologist. Through successive revisions of his critical note on T. S. Eliot, for example, in successive editions of "Modern American Poetry," he has, under pressure of what one must take to be opinion, elevated Mr. Eliot to the canon—the same canon, however, in which the verse of W. R. Benét belongs. Marianne Moore is still the darling of a cult. Mr. Robinson, after thirty-one years, has "Collected Poems" and two Pulitzer prizes; but it would be difficult to prove that criticism has derived a conscience from certain distinguished qualities of his art. In Mr. Robinson alone we would be possessed of much. We have a little more. Yet our good poetry has not instructed criticism sufficiently to make impossible the appearance of much that is habitually mediocre, dully trivial, or simply bad.

For only on this or a like supposition can one account for the publication of these four volumes. It would be the office of criticism, ideally, in a regime supporting a literary dictatorship, to control the current of ideas so rigorously that they would be cut off at their inception; a literary dictatorship is, of course, a doubtful good. Failing often to provide for genius, it eliminates on principles of taste the useless uncreative production deficient in that category. And it would be of some negative use, at least, when the criticism of poetry, seldom now more than an extension of reviewing, does not care to interfere with business, with commodities for trade.

However, one is perplexed by the fact that Mr. Edman's and Mr. Anderson's books are by no means articles of commerce. It is interesting that Mr. Edman is well-known as a philosopher; and that, better known than Mr. Edman, Mr. Anderson is a successful dramatist. Mr. Benét, author of some engaging ballads, has collected, in "Tiger Joy," too much of th decoration he obviously wrote as articles of commerce for the popular monthlies.

Mr. Bynner has deservedly been a leading figure in American poetry: he has produced some good lyrics. His disastrous facility is a commonplace. It betrays an intelligent person like Mr. Bynner into an unreadable dulness of repetition, and often into false intensities—Theology, for instance, in this volume—that are bathos. "Caravan" will not obscure Mr. Bynner's reputation, but it offers little to sustain it.

ALLEN TATE

Konrad Bercovici

Iliana. By Konrad Bercovici. Boni and Liveright. $2.
The Marriage Guest. By Konrad Bercovici. Boni and Liveright. $2.

ONLY two of the tales in "Iliana," Seed and Wisdom of Youth, are excellent. In Wisdom of Youth the external world of snow and wind and rain, of winter and spring, of plowing and harvesting in Rumania is all quite perfectly a part of the credible story of young George as he fights to keep his family simple and to save them from the absurdity and the tragedy of aping a French sophistication. In Seed a horse race is presented as thrillingly as the wrestling match was presented in Mr. Bercovici's finest story, Ghitza. But Muzio is thinly sentimental, unpleasantly artificial. The so-called passion is too unconvincing to scorch a single printed word. In Revenge, with the coming to life of the centuries-old young Greek Aristides Simonides, there is absurd characterization. Before the young man's father was killed by a political enemy the young man couldn't even get excited about the recovery of his favorite wooden cigarette-holder which he had lost on the train to Marseilles. "In less than a minute he had changed from a tired boy into a passionate man." And a lot more about this revenge which has finally given him something real and earnest to live for. The enemy, who he hopes will be a tiger, turns out to be a groveling old imbecile; and the blow is so staggering to young Simonides's pure Greek ego that he commits suicide. Muzio and Revenge are fairly representative of the other stories in the volume.

Mr. Bercovici is successful only when he writes of his own Rumania and his gipsies. It was bad judgment for him to venture in his latest book, "The Marriage Guest," into the

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field of American life, where he must bear comparison with Dreiser and with Sherwood Anderson—to whom, by what seems a mistaken piety, he has dedicated this novel.

"The Marriage Guest" is the story of three generations of a German family in New York from about 1890 to the present time. They begin in the East Side; you leave them in their bourgeois affluence on Riverside Drive. The story purports to deal with their problems; and most of the book does talk about them. Greta Zwenge, urged by her ambitious mother, jilts the poor musician Karl Bleicher, whom she loves, for the flashy George Gewurtz. George, you are told, is very brutal to Greta at the consummation of their marriage. Life after that is possible for Greta only in so far as she can impose upon her husband the image of Karl. When the daughter Karolin is born she is, in the mother's vivid fantasy, Karl Bleicher's child. Karolin at nineteen is engaged to Stanley Mitchell (Mayflower stock), an impecunious young musician. She loves him, but she rather hard-headedly gives him up when the distinguished Karl Bleicher returns to New York and falls in love with her. What Karl loves in the girl is the image of the mother whom he had lost so many years before. The mother opposes the marriage. In a final showdown Greta makes the great confession, stating that Karolin is Karl's daughter and that for them to marry would be—incest. One is really shocked at this speech because, from what has been so definitively and so often stated about Greta's cloistered life, one is amazed to find that she knew the meaning of the word.

No character in "The Marriage Guest" moves from any inner necessity that life in a character imposes. One can easily visualize Greta on the screen or moving among the sets at Hollywood; otherwise she has little relation to life. No. In Mr. Dreiser's book one is interested in everything that Jennie Gerhardt does or says. Mr. Bercovici never succeeds, as Mr. Dreiser so often does, in getting his characters started and then in withdrawing to let them live out their own lives.

A few sentences taken from "The Marriage Guest" will give the quality: "His large, fleshy mouth covered her small lips with a powerful suction, as if she were a deep fountain and he a very thirsty man." "He had asked her to lie down and rest. He had trapped her." Later: "She was merely a tool in his hand, now. What cared he what happened to her?" Still later: "'I married you. And then you remember what you did the first morning we were in the hotel in Albany. O God!' she yelled."

ANGUS BURRELL

A Frontierswoman of Labor

The Autobiography of Mother Jones. Chicago: Charles Kerr and Company. $1.50.

IT was in the early industrial struggles of America that Mother Jones, born in Cork, Ireland, found her place as organizer and speaker. Her autobiography is a record of courage and fearlessness. Entering the labor movement when she was almost fifty years of age, she fought the battles of a nascent organization for almost forty years. Hers was a fighting personality endowed with strong loves and hates, and thriving on conflicts.

The frontier days of American industry were productive of many such personalities. They looked upon the aggrandizements of industry as something which they must check or encourage, depending upon which side of the Labor-Capital fence they happened to be. The labor movement of the '70s and '80s shared this individualistic ideology. To a person like Mother Jones the mortal enemy of Labor was Capital, concretely incorporated in the "boss"—not the "capitalistic system" or the sprawling corporation of stockholders and investors free from responsibility for the labor policy of the industry. Such animistic concepts called for leaders and organizers to exhort, arouse,

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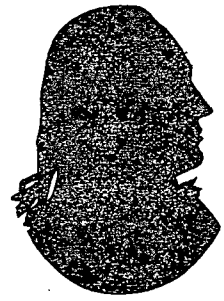

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and inspire with a religious zeal those who were getting the short end of the rope in the merciless race for wealth. There was need for the wit and the slashing tongue of a Mother Jones.

Clarence Darrow, in his preface, says that Mother Jones never had the time or the education to study the philosophy of the movements which she espoused. If intellect rather than intuition and impulse had been the guiding force of Mother Jones she might have interpreted the role she played with greater vision and understanding. She would have recognized the value of the tactical policies of the United Mine Workers when that organization achieved a degree of permanency and strength. She would have realized that a labor movement cannot be built by a single hand. But also she might never have been able to lead army after army of miners' wives, beating tin pans, carrying mops and brooms, and routing the scabs out of the mines. She might never have been able to lead an army of little children out of the textile mills into the great highway of public opinion in protest against child labor. She probably would not have been able to lash thousands of miners into a fury of action against the oppression of mine operators. Neither would she have been able to ford the icy waters of a mountain creek in order to hold a meeting with striking miners in a place not owned by the company. These are acts which not come from an understanding of a philosophy. They can nly be accomplished by a colossal faith.

Mother Jones resents the fact that "labor's representatives sit on velvet chairs in conference with labor's oppressors." The labor leader of today is too respectable for her. She does not understand the technique of "business unionism," of union compromises and agreements, of so-called scientific production. She is the frontierswoman of labor, the fighter, the crusader. She is uncomfortable in the established trade union with all its traditions. Subtlety, shrewdness, and business tactics are the attributes necessary in the latter type of union.

Mother Jones belongs to the struggling movement, to the groups fighting to overcome the obstacles of frontiers. The United Mine Workers of America, like many another union, would never have been without the aid of a Mother Jones.

THERESA WOLFSON

Books in Brief

Modern Russian Literature. Prince D. S. Mirsky. Oxford University Press. $1.

This little volume in the series called The World's Manuals is in many respects an admirable performance. The author brings to his task a thorough knowledge of his subject, a readable style, and, above all, a fresh viewpoint. Prince Mirsky has the background of a cultivated Russian and the detachment of an outsider. Moreover, his familiarity with the literatures of England and the Continent allows him to speak of Russia's contribution in terms enlightening to his audience. If one is not always in agreement with his aesthetic judgments, one nevertheless generally finds them stimulating. In a succession of concise chapters the author surveys rapidly the novel, the drama, the poets, and even finds room to say a word about the critics and the publicists. The outline begins at the beginning and comes within hailing distance of the present day. The pages dealing with the more recent developments, about which opinion has not crystallized, are less satisfactory than the chapters having to do with Turgenev, Dostoevski, and Tolstoi, and for that reason it is perhaps just as well that the author has omitted to treat the literature of the Soviet period. It is a pity that in a book which has all the makings of a convenient reference work there should be a number of factual errors which could easily have been rectified. Turgenev could not "follow Hegel's philosophical course" in 1838 for the reason that Hegel died in 1831. He met Pauline Garcia not in 1845

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but in 1843. The first of his "Sportsman's Sketches" was published not in 1846, as is stated twice, but in 1847. His mother died not in 1848 but in 1850. The word "nihilist," as is commonly believed, is not "of Turgenev's coinage" but was in use decades before he created a vogue for it by employing it in "Fathers and Children."

The Education of Behavior. By I. B. Saxby. G. P. Putnam's Sons. $2.50.

Paradoxically enough, the objective study of behavior has brought about a revival of interest in the subjective phases of conduct. Meumann and his pupils had almost succeeded in placing psychology on a solid basis of laws and principles when along came Freud with his dazzling theory of the Unconscious. It suddenly dawned upon psychologists that the mind is a most complicated machine responsive in unequal degrees to both heredity and environment; that the individual's reaction to stimuli is at once rational and irrational, predictable and unpredictable, obscure and obvious. Nevertheless, conduct may be modified and regulated. Mr. Saxby expounds this theory of education. He traces the unfolding of personality from the stage of instinctive reaction to that of abstract thinking, assigning to each intermediate stage its proper place in the development of character. He does not attempt to minimize the educator's task; his is not a facile scheme for mechanizing the educative process. He might, indeed, have given the subject less of a forbidding aspect had he not overemphasized the multiplicity of instincts and the stability of complexes. But one must remember that he is an Englishman, and that in England McDougall, Shand, and Trotter are supreme in the realm of social psychology.

Sidelights on Elizabethan Drama. By H. Dugdale Sykes. Oxford University Press. $4.20.

The studies gathered here are all reprints from various periodicals and are already known to scholars. They deal with the problem of the authorship of a considerable number of sixteenth- and early seventeenth-century plays. The papers of most interest to the reader who is not a specialist are those on the much-mooted question of "Timon of Athens" and on the authorship of "Appius and Virginia"—which, it will be remembered, Rupert Brooke took from the canon of John Webster's plays and ascribed to Thomas Heywood and which Mr. Sykes now vindicates as Webster's. Mr. Sykes employs the same methods of literary "connoisseurship" as does the exceedingly prolific and suggestive Mr. J. M. Robertson, but he employs the tests of vocabulary, style, ideas, and the like more cautiously and, having a better sense of the validity of evidence, is not so easily led astray into the fields of improbable conjecture and rash assumption. The paper on the authorship of "The Taming of a Shrew" and "The Famous Victories of Henry V" is a fine illustration of his method and its results.

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6. The winning poem will be published in the Midwinter Literary Supplement of *The Nation*, to appear February 10, 1926.

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The judges of the contest are the editors of *The Nation*. Poems should in no case be sent to them personally.

Music

The Pedant Looks at Jazz

WHAT I choose to call, for lack of a better term, the pedant in musical criticism is the one who, because even beautiful music necessarily exhibits peculiarities of technique or idiom, believes, incorrectly, that its beauty may be attributed to them, and conversely that beauty and value may always be

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inferred from them; and who therefore bases his judgments on analysis of technique. The term is, then, not inappropriate since it is applied to one who drags in learning where it has no place. For analysis can neither explain, nor therefore justify, the value or charm of a piece of music, or the absence of such value or charm.

An example will make this clear. My pedant will hold that a passage in a d'Indy symphony must be deeply moving since it is written in accordance with "principles" abstracted in this way from emotionally expressive music, i.e., since, for the purpose, the motif is made higher or lower in pitch and compressed or expanded in time with the rise and fall in emotional intensity, and the passage "begins in the comparatively 'dark' key of D flat, but touches in the fourth measure, at the acme of the climax, the brighter D major, whence with the waning emotion it subsides to the original key." The pedantry, it should be noted, lies not in the analysis, which is legitimate and useful for certain purposes, nor obviously in the judgment, which in other cases might be correct, but in the linking of one with the other, which is incorrect, since its technical virtues make the d'Indy passage not moving but, like most of d'Indy's output, only an expertly constructed illustration for his "Cours de Composition Musicale."

One would hardly expect a lover of jazz to indulge in this sort of pedantry, for the technique of jazz is quite primitive and must, if his judgment is guided by it, lead him, as it has led a hostile critic like Daniel Gregory Mason, to a low estimate of its value. But some who, oversophisticated and "fed up" with serious music, have enjoyed jazz by contrast have found apparent and convenient justification for their enjoyment in details of technique here and there which are more sophisticated than the usual and which they have assumed to be the rule and made more of than is allowable. In this way has arisen such a notion as that jazz is characterized by bewildering rhythmic complexity, to which have been attached such very loose notions as that it is the only music of charm or value which Americans can produce, because it is the only music rooted in America and the American temperament, and that it will not only contribute new material to the forms of serious music but produce new forms adapted to its own material.

The pedantry has been carried to its illogical extreme and utterly discredited by Mr. Gilbert Seldes. "Jazz is good," he says, for he may not enjoy it otherwise, "and I propose to summarize some of the known reasons for holding it so"; i.e., since he does enjoy it he must prove it "good." To do so, since he conceives of musical value as correlated with details of technique, he must show that it possesses a sophisticated technique. And since it does not possess such a technique he proceeds as follows.

He describes simple things at such length that through sheer weight of words they appear complicated and extraordinary; following his example one might speak of the effect of groups of four-sixteenths alternately rising and falling in pitch to the accompaniment of staccato quarters, and yet be describing only the effect of a Czerny five-finger exercise. He gives one thing the name of something he likes better, and supports his claims with explanations that are incorrect, examples that are inappropriate, and reasons that do not support his conclusions—obtaining in this fashion dissonance from the slide or smear,* and from syncopation more dissonance (and even polytony) and rhythmic complexities such as "one finds only in

* Thus, to take only this example, he observes that "in its progress to the note which will make an harmonious chord, the instrument passes through discords." But the very nature of the smear—an infinite gradation of pitch in extremely rapid tempo—is such as to prevent any tone in the series, in the chord or out of it, from being heard as distinct; and only a distinguishable tone can form part of a harmony and be apprehended as such. In effect the smear is nothing but a melodic embellishment, of a note with definite pitch.

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the great masters of serious music." This toppling structure he buttresses with a liberal and inexpert, when not actually incorrect, use of technical lingo and with much talk about elusive, debatable qualities like rapidity and cleanness of style of composition. In all this he profits by the ignorance of most of his readers, by the fact that use of technical terms carries with it the unnecessary presumption that the user can correlate term with object correctly and has done so, by an appearance of perfect assurance, and above all by a prose, corresponding to a thought, so unconsecutive that he can contradict himself almost in one sentence without appearing to realize it. All this, however, Mr. Seldes has done only to substantiate notions which he has picked up about him, notions already exaggerated, which, through his lack of the necessary special knowledge, he has succeeded only in distorting and making absurd. What, now, of these notions in their original form?

By rhythmic complexity is meant the shifting from one meter to another; the use of different meters simultaneously, this frequently being an effect of syncopation in one voice when the regular beats in the other are unobtrusive; and above all the varying of the length and style of phrases and of the figuration.

Now, jazz can be defined as music written in the meter of the fox-trot. Its essence, in fact, contrary to the prevailing opinion, is not the syncopation in the melody but the steady plunk-plunk-plunk-plunk of the four quarters of the accompaniment in rapid tempo (one reason for the precision of the orchestras and their ability to play without a conductor). It is not the effect of syncopation that is characteristic of jazz, since one finds syncopation in greater abundance and variety in serious music, but the effect of syncopation in the jazz meter and tempo; and actually one can strip away the syncopation and still have "Bambalina," proof that the syncopated melody, like the scoring or the exciting rapid figuration introduced by pianists to fill in the beats, is mere embellishment. On the other hand, take away the plunk-plunk-plunk-plunk and jazz is no longer jazz.

One finds, therefore, no shifting from meter to meter or use of meters simultaneously, with the exception of a rare and necessarily brief interpolation of a figure in triple time. Since the regular beats in the accompaniment are so insistent the effect of the syncopation in the melody is not that of a cross-meter but only one of irregularity in the ordinary meter, the latter being no less four-quarter for being irregular four-quarter, and the beats being, in fact, emphasized by being anticipated. And finally there is lacking the most important source of rhythmic variety in serious music, namely, variation in the length and shape of phrases, with artistic use of figuration. This is so closely correlated with extended structure or form as to be almost identical with it; certainly one cannot have one without the other. Both are, however, almost inconceivable in the jazz meter; and so, according to one's point of view, the rhythmic technique being what it is the form is small, and the form being what it is one finds, for the most part, phrases of the common symmetrical variety consisting of two or four measures with a strong cadence and an oom-pah oom-pah in each measure.

The resulting effect is one of the utmost simplicity, regularity, and rigidity; the effect, that is, of four quarters constantly reiterated, upon which any apparent eccentricity is superimposed and to which it is firmly riveted; and the prevailing notion to the contrary, since one cannot attribute it to what is done in the meter, one must attribute to the meter itself, i.e., to the fact that a dance meter cannot be anything but lively and exhilarating, regardless of how it is treated. It seems correct, therefore, to describe jazz as an art of embellishment, based on a limitation—limitation to one subject matter, the four quarters of the fox-trot measure; and embellishment of this (also limited) by rich, ingenious scoring, by a

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not unrestrainedly syncopated melody, and more recently by chords borrowed from serious music.

This subject matter of jazz does not seem to lend itself to musical architecture. With a preoccupation with architecture I should expect to see a shifting of emphasis from the essence to its melodic embellishment, and perhaps, as a result, a loss of the specific jazz character. In its treatment the material would, in any case, be governed by the same conditions or limitations as any other musical material—i.e., it could only be modified, or repeated, or followed by something new—and the forms would necessarily be those we know. I do not care to predict; I can only point out that until now the material has not been modified, and the form has been small. The large form characteristic of jazz has been, whatever its title, the *potpourri*, a series of small forms strung together.

There is, finally, no such thing as a type of music being rooted or alien (if there is such a thing as a national temperament); instead one may speak only of persons being adapted or unadapted to it; and all that composition of a type of music indicates, and requires as a necessary though not sufficient condition, is adaptation to the tradition of previous composition. Whatever the failure of American serious music indicates, it is not the lack of such adaptation. If Americans are less successful in writing serious music than in writing popular music it may be because one is more difficult to write at all than the other, and also because at the present stage of development of each it is more difficult to make a valuable contribution to one than to the other.

Here, lest one infer from all this that I dispute the charm of jazz, I hasten to repeat what the very prevalence of such pedantry tends to obscure, namely, that Professor Mason can no more dispute than Mr. Seldes can establish the value of jazz by such arguments. They will nevertheless attempt to do so, and in general their pedantry, though fallacious, will continue to be prevalent, because it is useful not only to themselves but to others: some of those who formerly treated jazz, in public at least, as a sort of scarlet woman of music may now lend their names to a jazz concert without losing their musical respectability. There is something suspicious in the sudden sweet reasonableness of these persons and the rapidity of their conversion; and my guess is that formerly they observed their musical moral standards, like their other moral standards, in true Anglo-American fashion, by allowing themselves to be bored almost to extinction at the public concerts of serious music of which they were the patrons and guarantors, and enjoying jazz in private.

B. H. Haggin

Drama

A Religious Farce

THANKS to the comprehensiveness of Shaw's philosophy there is no material which may not be made to serve his purpose. Whatever history has recorded or legend invented impinges somewhere upon the set of ideas which he has developed and can be made to serve as a lesson in that morality which it is his proudest boast to have invented. But there are some heroes who receive less readily than others the Shavian stamp; and so it is that while "The Man of Destiny," which serves as a curtain-raiser to the current Theater Guild production of "Androcles and the Lion" (Klaw Theater), seems relatively forced and unconvincing the latter play is one of the happiest of all its author's efforts. With a little forcing, Napoleon can, like Caesar, be made to seem a baffled and imperfect superman and into his mouth can be put what is perhaps the neatest of all Shaw's summings up of that unconscious hypocrisy which enables the Englishman to further his own

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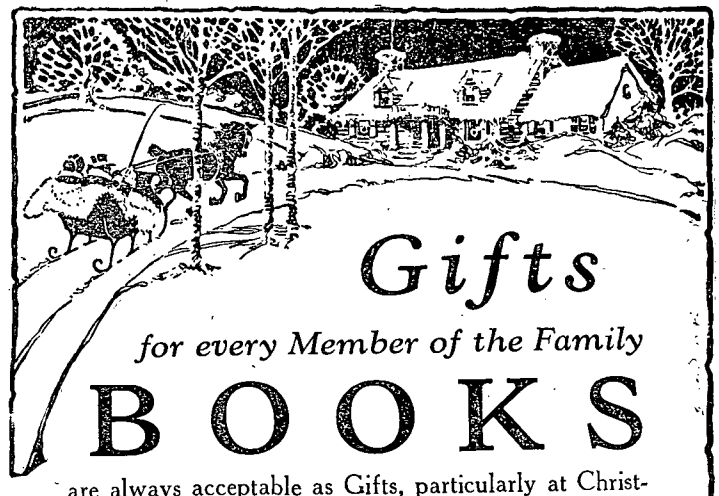
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ends and call it serving God; but Napoleon is not really a man much after Shaw's heart, and he cannot kindle to him as he kindles when he allows his imagination to play over the legendary hero of early Christianity. With an impish delight he draws the deadly parallel between the attitude of the respectable pagan then and the attitude of the respectable churchman now, but he rises far above mere satire and he mingles mysticism with his buffoonery. Into the mouth of Lavinia the patrician he puts the confession of his highest faith—only God is big enough to make us want to die for Him, but when we know what God is we shall be gods ourselves—and the whole piece throbs with pity and understanding. There is laughter at all that is temporary and accidental, but it is the laughter of one who dares to be irreverent because he knows that irreverence can damage only those things which do not deserve to be revered.

In no other of his plays does Shaw indulge more freely both his satiric gift and his love of boisterous foolery, but in no other does he reveal more clearly his passionate faith. "Androcles" is a religious farce which ends, as a farce should, in a manner which seems wholly inconsequential, but it manages in the course of its action to rise repeatedly and unexpectedly to heights of spiritual drama. Each member of the little group of Christian martyrs has first of all the fate of his own soul to settle; Lavinia transcends the sect with which she has identified herself, Ferrovius loses the battle with his own animal man, and Androcles triumphs by virtue of nothing except the natural gentleness of his character; but the real conflict is the conflict between this group as a whole and the society which surrounds it, between those who have found and those who have lost the sense of something greater than themselves and greater than Rome. Androcles and his companions draw courage from this invisible source and they conquer Caesar without his even knowing that he has been conquered.

The play is, I think, the surest touchstone by which to distinguish the true Shavian from one whose temperament is not really akin to his. Only he could have written it and only those who, like him, find laughter no enemy of the highest exaltation can relish its peculiar flavor. Moreover, the distinction will hold where more than a play is concerned, for it is the distinction between those who recognize religion only by the atmosphere of a church and those who recognize it by its own nature. To find the play merely funny is to prove oneself incapable of even comprehending the passion of the mystic; to find it shocking is to confess that one cannot dissociate the idea of spiritual fervor from that of sanctimonious solemnity.

On the whole the present production is the most thoroughly satisfactory of the three presentations of Shaw plays made recently by the Theater Guild. The settings and costumes designed by Covarrubias are in a vein of delightful extravagance which reflects perfectly the mood of burlesque that characterizes the outward action of the play. The indispensable Henry Travers makes Androcles an absurdly appealing figure; Clare Eames is a most noble Lavinia; and the whole performance is carried off with the sprightliness which the piece demands.

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